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Somersetshire
Archæological & Natural History
Society.

Proceedings during the Year 1884.

VOL. XXX



Market Cross, Skipton, Wilt.

Wm. B. Wood
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SOMERSETSHIRE
ARCHÆOLOGICAL
AND
NATURAL HISTORY
SOCIETY'S
PROCEEDINGS, 1884.



VOL. XXX.

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Preface.

The Editor much regrets the very short notice given of Mr. McMurtrie's excellent addresses at Mells and Radstock; a regret which will be felt by all who heard them. It is the consequence entirely of the very poor, meagre report received.



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Proceedings
of the
Somersetshire Archæological and
Natural History Society,
during the Year 1884.

THE Thirty-sixth Annual Meeting was held at Shepton Mallet, on Tuesday, Wednesday, and Thursday, the 26th, 27th, 28th August.

Mr. W. E. SURTEES, in vacating the presidential chair, said that the office to which he had the honour of being elected twelve months ago, he was then about to resign. The happiest thing for an official so situated was to have an eminent successor. Led by the crest and defended by the shield of Lord Carlingford—*Forte scutum salus ducum*—he anticipated for them an exceedingly agreeable and instructive expedition, and three days of enjoyment.

Lord Carlingford then took the chair as President for the year.

Mr. GREEN (*Hon. Sec.*) read the

Annual Report,

which was as follows:—

“LADIES AND GENTLEMEN,

“In presenting their Thirty-sixth Annual Report, your

New Series, Vol. X., 1884, Part I.

a

Council are glad to be enabled to repeat the assurance given last year of the continued prosperity of this Society.

“The number of Members amounts to 507, being about the same as last year.

“The financial position at the end of the year 1883 was satisfactory, exhibiting a favourable balance of £33. 12s. 6d., notwithstanding the outlay of £45. 1s. 6d. for books and book-cases purchased from the library of the Taunton Institution, as mentioned in last year’s Report.

“The Castle Purchase Fund, at the end of the year 1883, showed a balance of £409. 3s. 3d. against the Society, as compared with £491. 11s. 5d. the previous year—a reduction of £82. 9s. 2d.

“It was stated in your Council’s Report of last year that there was an absolute necessity for the re-roofing of the geological room, and that Mr. Ferrey had been requested to furnish a report on this subject. In accordance with his recommendation, and in pursuance of the sanction given at the last Annual Meeting, a contract was entered into with Mr. Charles Fox, of Taunton, under the supervision of Mr. Ferrey, for the sum of £324. This cost has been considerably increased by extra work, the necessity of which was not discovered till the old roof had been removed. But the result has been the re-appearance of a very ancient hall, with proportions which do honour to our Society.

“The re-arrangement of bedrooms for the Curator, and other work necessitated by the removal of the rooms in the roof of the geological room, have been satisfactorily effected at a cost of £64.

“The cost of plastering the geological room, the repair and restoration of some ancient windows, the re-building of a considerable portion of the upper main wall, found to be unsafe (all extra work), will, it is thought, bring the entire cost of the repairs and alterations to the sum of about £500.

“The Council are happy to report that the Society has

already received, through the liberality of its Members and friends, special contributions towards this expenditure, to the amount of £228. 11s. 6d. But, as there are no available resources out of which the balance can be paid, and it is most undesirable that the existing deficiency in the Castle Purchase Fund should be increased, they venture to repeat their appeal to all who may be interested in the preservation of the ancient buildings of the county to enable them, by means of additional donations, to liquidate the debt.

“In connection with these repairs, your Council present the following resolution, which was passed by the Building Committee, and your Council recommend it for your adoption:— ‘The Building Committee, finding that great inconvenience has arisen from the employment of a London architect, they would earnestly request that permission may be given to them to execute any necessary repairs without reference to an architect, but that in all cases a discretion may be left to them to employ an architect to superintend any important work, and that also they may be allowed to consult Mr. Ferrey in all cases that they may think of sufficient importance.’

“Your Council have to report that the staircase tower leading to the exchequer room has been re-built, through the munificence of Colonel Pinney, at a cost of upwards of £200, the work having been executed by Mr. Davis, of Taunton, under the superintendence of Mr. Ferrey. Duly appreciating this great liberality, the Society will no doubt authorise its Secretaries to report a vote of thanks to Colonel Pinney.

“Your Council report that the roadways to the Castle property over the Castle Green have been repaired to their satisfaction.

“Following a precedent set in Devonshire and Cornwall, the Committee have issued circulars to the clergy and churchwardens throughout this county, soliciting particulars of church plate, accompanied by forms to be filled up with dates, patterns, inscriptions, and other particulars worthy of record.

This has been responded to in many cases, but it is hoped that a far larger number of returns will still be forthcoming, affording interesting materials for future publication.

“Amongst our losses by death since the Society last met—happily, not numerous—your Council specially regret the death of Mr. John Henry Parker, C.B., the amiable and learned architectural writer, who for so many years had been in the habit of contributing to the instruction and cordiality of our Annual Meetings.”

Mr. F. W. W. TYNDALE moved the adoption of the Report, which he thought would be accepted as an exceedingly satisfactory one.

Mr. J. M. SPENCER seconded the resolution, which was put and carried unanimously.

Mr. O. W. MALET read the

Treasurers' Account.

The Treasurers in Account with the Somersetshire Archæological and Natural History Society, from Jan. 1st to Dec. 31st, 1883.

DR.			CR.		
	£	s d		£	s d
1882, Dec. 31st.	85	10 5	1883.		
By Balance of former account	14	14 0	To Expenses attending Annual Meeting,		
„ Members' Entrance Fees...	9	9 0	Travelling, &c.	21	9 8
„ Members' Arrears of Sub-			„ Stationery, Printing, &c.	16	8 7
scriptions			„ Coal and Gas	25	0 11
„ Members' Subscriptions			„ Cases, Fixtures, Repairs, &c.	11	15 11
for the year 1883	242	19 0	„ Purchase of Books, Specimens, Bind-		
„ Members' Subscriptions in			ing, &c.	64	0 9
advance	5	15 0	„ Printing and Binding Vol. XXVIII.	96	16 10
„ Life Member	10	10 0	„ Illustrations	29	3 0
„ Excursion Tickets... ..	15	10 0	„ Curator's Salary. 1 year to Christ-		
„ Donation from the Wivelis-			mas, 1883	85	0 0
combe Local Committee... ..	1	11 9	„ Subscription to Harleian Society,		
„ Sale of Engravings		10 0	1883	1	1 0
„ Sale of Volumes of <i>Pro-</i>			„ Subscription to Harleian Society,		
<i>ceedings</i>	12	4 9	Register Section, 1883	1	1 0
„ Museum Admission Fees...	26	12 0	„ Subscription to Palæontographical		
			Society, 1883	1	1 0
			„ Subscription to Ray Society, 1883	1	1 0
			„ Rates and Taxes	12	12 9
			„ Insurance	4	10 6
			„ Postage of volumes	9	2 6
			„ Postage, Carriage, &c.	8	16 1½
			„ Sundries	2	11 10½
			„ Balance	33	12 6
	£ 425	5 11		£ 425	5 11

1883, Dec. 31st.
Balance £33 12 6

H. & H. J. BADCOCK, *Hon. Treasurers.*

1884, Feb. 6th, Examined and compared with the vouchers, and found correct.

ALFRED MAYNARD,
EDWIN SLOPER.

Taunton Castle Purchase Fund.

Treasurers' Account from 1st January to 31st December, 1883.

<i>Receipts.</i>	£	s	d		<i>Expenditure.</i>	£	s	d
By Rents of Premises ...	60	2	5		1882, Dec., 31st.			
" Rent of Castle Hall ...	44	19	0		Loan ...	£ 500	0	0
" Proceeds of Fancy Ball, held at Taunton, Dec., 1883 ...	67	19	8		Less Balance in Bank ...	8	8	7
" Balance ...	409	3	3		To Balance ...		491	11 5
					" Repairs to Buildings, &c. ...		40	19 9
					" Insurance ...		3	16 6
					" Rates and Taxes ...		7	5 8
					" Attendance at Castle Hall and sundries... ..		5	16 3
					" Gas ...		7	15 3
					" Interest on Loan ...		24	19 6
	<u>£ 582</u>	<u>4</u>	<u>4</u>				<u>£ 409</u>	<u>3 3</u>
					1883, Dec. 31st.			
					Balance, viz :			
					Loan ...	450	0	0
					Less Balance in Bank ...	40	16	9
							£ 409	3 3

H. & H. J. BADCOCK, *Hon. Treasurers.*

1884, Feb. 6th. Examined and compared with the vouchers } ALFRED MAYNARD.
and found correct. } EDWIN SLOPER.

Mr. GREENFIELD moved the adoption of these reports.

Mr. CHISHOLM-BATTEN asked to be allowed, before the motion was put, to call the attention of the Meeting to the remarkably flourishing state of the funds which Mr. Malet had read. They were mainly indebted to that gentleman for the purchase and acquisition of Taunton Castle. By his constant and unfailing exertions, Mr. Malet had enabled them to own that most valuable building, and he was very happy indeed to have the pleasure of hearing Mr. Malet read the favourable statement that a debt of only about £500 existed upon that great undertaking. To Mr. Malet the thanks of the Society were due; indeed all those who were interested in the preservation of antiquities in this county were indebted to him for the rescue and preservation of the Taunton Castle building.

Mr. E. D. BOURDILLON called attention to the passage in the report treating upon the works that were being carried on in the roof of the geological room at the Castle, and other improvements, and stated that there was a necessity for further contributions towards the expenses. As they had heard, there was a deficiency of between £400 or £500 on the Taunton

Castle Purchase Fund. It was the opinion of the Council that it was very undesirable that the cost of these additional works should form a further charge on the funds, which would increase the amount of the existing deficiency. If the Meeting would kindly bear in mind the recommendation of the Council, and their appeal for further donations, it would place both them and the Society in a much better position than would otherwise be the case.

The motion was adopted.

The PRESIDENT said he had much pleasure in proposing the re-election of the existing Officers and Vice-presidents of the Society, the Local Secretaries, and the Curator, with the addition of Mr. W. E. Surtees to the list of Vice-Presidents, and that of Mr. J. Heron, of Shepton, to the Local Secretaries.

Mr. SURTEES said he should be glad to propose that Mr. Chisholm-Batten be elected on the Building Committee.

Mr. E. D. BOURDILLON seconded the motion, and the list, as proposed by the President, with the addition suggested by Mr. Surtees, was unanimously adopted.

The PRESIDENT then proposed the election, to the Committee of Management, of Mr. Wilfred Marshall, Mr. A. Maynard, Mr. T. Meyler, Mr. H. Murray-Anderdon, Mr. E. Sloper, and the Rev. J. W. Ward.

Dr. HARDMAN, by letter, referring to the great kindness of Mr. Smith-Pigott, and Mr. Martin Gibbs, in relation to certain discoveries, made at Mynchin last year, and at Yatton lately, suggested that the Society should mark its respect by recording a vote of thanks to them.

Mr. GREEN seconded the proposition.

The motion was carried unanimously.

Mr. SURTEES said that he recollected having, for more than thirty years, had the advantage of listening, at those meetings, to Mr. Parker. He was an Oxford gentleman, who contributed vast stores of architectural learning, and what was more, he set them an admirable example—a perfect temper. When he

was mistaken, or when anyone supposed he was mistaken, Mr. Parker always took the contradictions that he received with a most admirable temper, and set them a good example. He therefore ventured to move, that a copy of the last paragraph in the Report, alluding to the Society's regret at his loss, be sent to his family.

Mr. FREEMAN said he thought that he had disputed against Mr. Parker as much as anyone, yet that gentleman always took it remarkably well. He could endorse all that Mr. Surtees had said, and gladly seconded the resolution.

The resolution was carried, and an official notification of the fact was ordered to be sent to the late Mr. Parker's son.

Mr. DAVIS called attention to an inaccuracy in the last volume of *Proceedings*, pt. I. p. 38, regarding an action against the Corporation of Bath, of which body he is Architect, where it is stated that the result was a cost to the Corporation of £250.

Mr. MURCH said that the sum was not paid by the Corporation, but was raised by private subscription.

The PRESIDENT remarked that any error in matter of fact, not a matter of opinion, would no doubt be noticed.

The choice of a place of Meeting for next year was left to the Council as usual.

The President's Address.

MY LORD BISHOP, LADIES AND GENTLEMEN,

I HAVE most willingly accepted the honour, and undertaken the duty, of acting as President of the Society on this occasion, but I cannot undertake to deliver an address, either upon the general subjects of archæology and natural history, with which the Society deals, or indeed, as to any particular objects—either archæological or geological—which will be found within the district that we hope to visit this year. I will not apologise for my failure to make such an address, because it appears to me that if the choice of your annual Presidents were to be limited to those who are capable of

acting the part of teachers on these subjects, the choice would be greatly limited. Such Presidents you have had, and very distinguished Presidents they were—they are represented in this room at the present moment—and such Presidents I hope you will have again, but your President on this occasion makes no such pretensions. He has, however, this advantage; not being capable of teaching, but anxious to learn, he represents, I think, a pretty large class, and a class which I think is constantly increasing—viz., those who know enough of these great subjects to feel their deep interest and great charm, and who desire, as I do, to co-operate with, and support, such societies as yours.

I have a lively recollection of the last time that the Society met at this place; I am not sure whether it was in this room, or not. It met here very nearly twenty years ago, under the presidency of Major Paget. At that time I was almost a stranger, to both the Society and the neighbourhood; but since then I have acquired the privilege of an old inhabitant. I have turned into a Mendip man myself, and I feel entitled, as a Mendip man, to bid the Society and our visitors a hearty welcome to this portion of the Mendips.

The Mendips, so geologists tell us, are a chain of hills which once held the rank of mountains. They have certainly fallen from their high estate; but there was a period in the dim past, wise men inform us, when they towered thousands of feet above the sea, and formed an Alpine range in the south of England. That is no longer their condition, but they still form a pretty considerable barrier in the county of Somerset, a barrier which separates the dwellers in the north and east from those in the south and west, of this county. So that I think it is very likely that some of those who come from the westward—and I am glad to see some here to-day—will find the north-eastern part of the county beyond the Mendips a *terra incognita* in the matter of archæology and geology. Taunton is of course the metropolis of the Society, and dwellers there—I

may call them the Cis-Alpine Members of the Society—look upon us Trans-Alpines in this corner somewhat in the light of strangers. I hope the present visit may put an end to that feeling, if it exist, and that, in a district which is certainly not one of the richest in the county in subjects of archaeological or historical interest, the Members of the Society may at all events find the charm of novelty.

On the occasion to which I have referred, the visit—if I recollect aright—was confined almost entirely to the south side of the hills. We visited Doultong—which we intend to visit to-day; but there were other places that we visited, such as Ditchet and Pilton, which are all on the south side. On this occasion, with the exception of Doultong, we propose to take another line. We propose to cross the hills, and visit a list of places, including churches and other objects of interest—Stoke Lane, Leigh-on-Mendip, Mells, Radstock, and Kilmersdon. Among these there are no doubt several of considerable archaeological interest. There will also be an opportunity—and a good one—of examining a Roman road, a portion of the Fosse-way, which has been carefully uncovered for view, in the parish of Radstock. But I think I may say that on this occasion the principal objects of interest will be geological. The district in question is certainly, geologically, one of the most interesting in this country, one of the best fitted for the studies of a geologist, or for those who desire to know something of that wonderful and delightful subject.

It may not be known to you all that the district is celebrated in the history of the science of geology, because it is included in the field upon which the great and essential discovery—a very modern and recent one it is—of the regular succession of the strata, as ascertained with certainty by the regular and successive presence of extinct forms of life and organic remains, was made by Mr. William Smith, of Bath. In my friend Mr. McMurtrie, of Radstock, we shall have a most competent geological guide. Those who visit Radstock

will also have an opportunity of examining the interior of a Somerset coal mine, under the care of Mr. McMurtrie, and having a personal interest, not altogether theoretic or scientific, in the carboniferous strata of that place, I hope you will allow me to welcome and receive you there, and invite you to luncheon, both in my capacity of owner and as your President.

The double nature of the subjects of our Society, archaeological and geological—I take geology as being the branch of natural science with which we are most concerned to-day—is very suggestive of thought. It is most strange to turn by an effort the mind's eye—and an effort it requires—from the inconceivable distances of time, the awful depths of the past, during which this earth was being prepared for the dwelling-place of man, to the time, according to our human scale very remote, but geologically of yesterday, when man, who was to be the heir of all the ages, entered into possession of the treasures prepared for him. Let us turn from the great stores of material,—from the quarries of Doulting, and the deposits of this neighbourhood, which formed themselves at a time geologically not ancient, but to us inconceivably remote,—to the appearance of man upon this earth, and then to the history of his progress and development. Let us turn to those records of man which begin, I suppose, with the bone caves, and go on with the camps and barrows, and the great monuments of Celt and Saxon; then to the later works, most interesting to us, namely, those of our own immediate ancestors. Let us work our way down through this tremendous progress of ages, to the time when the oolite of Doulting was converted into the Abbey of Glastonbury, and the Cathedral of Wells; also into those humbler, but charming and sacred buildings that stand around us; and think of the appearance of a being capable of conceiving the ideas which these buildings embody and enshrine. Ladies and Gentlemen, the churches of our land—the ordinary parish churches—are always a matter of

prime and deep interest to societies such as ours, and they have had a great influence upon the fortunes of these churches. Whether it has been altogether an influence for good may fairly be doubted. No doubt these societies have greatly increased and spread abroad a knowledge—popular knowledge—of architecture; an interest in our ancient buildings, and a pride in our churches—though it has not always been a pride according to knowledge and discretion. I happened to read the other day an address delivered at the meeting of the Royal Archæological Society last year, by an eminent architect; and he fell foul, as I for my own part was glad to find, with the restorers and restorations—for which his brethren, the architects, are no doubt, to a considerable extent at least, responsible, although they are very far from being the only guilty parties. This gentleman to whom I am referring said, most truly, that forty years ago the churches of the land were in a state which could only be described as indecent, and that now things were infinitely better. And so they are; but he went on to say—and I greatly sympathise with him—that the good which has been done need not have been mixed up with the amount of evil and destruction which has gone on under the name of restoration.

Unfortunately, the little knowledge of architecture—perhaps this is a case in which a little knowledge is dangerous—spread abroad a power of distinguishing between one style and another which hardly existed forty years ago, and led to false ideas of restoration; that is to say, restoration to some architectural style and pattern selected by the restorer. The effort to bring about that result led to all the useless and mischievous change and destruction to which many of us, I think, now-a-days, have opened our eyes. Many, I know, have done so—very many of the persons who have been more or less guilty of it themselves. Now the true word is not restoration, but preservation. That is the idea that ought to be present in the mind of every one dealing with an ancient building. Of course

there will always be doubtful questions—questions not to be settled by any rule; questions of taste and discretion, which it would be absurd and pedantic to ignore; but upon the whole, the great thing, I am convinced, is to aim, not at restoration, but preservation. In this matter, in its influence upon the prevailing ideas and feelings which shall govern every one's conduct in the future, such a Society as this has a very considerable responsibility.

The same architect whom I quoted just now said, "The Societies have raised the restoration fiend, and they must lay him again." The question for us is, "How are these things to be prevented?" Our answer, I think, should be this: By creating and fostering the historic sense—the historic feeling—in all these matters. I know no better safeguard than that. The sense of respect, and reverence, and tenderness for the works of our forefathers, the desire that not only our own years, but the generations of men, should be bound to each other by natural piety. That feeling is perfectly compatible, in my own mind, with the utmost ardour for improvement, and the greatest desire to change, when improvement and change are needed.

But certainly these are days in which the old order is changing more rapidly than ever in all things, moral intellectual and material, and giving place to the new. And thus it is precisely the time when it is of the greatest importance to keep alive and increase in our country that historic sense and that historic feeling of which I have spoken. Let me remind you, for a moment, of two or three matters to illustrate what I mean. Take first the progress of agriculture. Now, in the progress of agriculture, the desire to bring every possible yard of land under the plough has led to the utter sweeping away of many venerable relics of the past. Take your barrows, and camps, and stone monuments. Why the plough has made its way almost up to Stonehenge itself. I hope that process has been checked; I believe it has. We now have that piece of legis-

lation for which Sir John Lubbock deserves so much credit. His untiring efforts have been in a great measure crowned with success. And, what is of greater practical importance in many cases—I speak now of the many minor remains of antiquity—it has been discovered that it does not pay to plough up the down lands. I wish that it had been discovered sooner; but I believe that it has been discovered now, and we may hope that by such joint influences the process of destruction may not go on so easily as it has done.

Then we have the re-building, which is going on at an astonishing rate, of our cities and towns: one of the results, no doubt, of the prosperity of this country. Of course there is a vast deal of change, and a vast amount of destruction; much of which is, indeed, inevitable. It would be absurd to suppose that in all such cases the old can be preserved; but I have no doubt that if the historic sense and the historic feeling had at all existed in the minds of the owners, or of the public bodies which have had to deal with these new works, with all this pulling down and building up again, many a relic, it may be of some eminent citizen of olden times, might, nay, would, have been preserved to us.

Then again, take the subject of language. We have that most interesting subject, the local dialects of our country. No good thing, apparently, can be accomplished without some loss, and there can be no doubt that our universal schooling is bringing about a dead level in the English language, which is not to be avoided, but which is a strong reason for the preservation everywhere throughout this country of the records of these dying varieties. It is a reason for us here in this part of England, to preserve the records of that language of Wessex, which some enthusiastic western men have regretted did not become the language of English literature and of the English race. I do not know that we need regret that it was not the fate of Wessex, but of Mercia, to supply the language of the English Court and English literature: to create that

great speech which has such a wonderful destiny before it. I think I may change one word in Cowper's line, and say that we may be well content that Chaucer's language is our mother tongue. Yet the idea does supply a motive to every one who has turned his mind that way at all to observe, and, so far as in him lies, to preserve and appreciate the interesting relics of old speech which we may still find around us, and give some attention to a study which appears to me to be one of the most fascinating of all.

This Society, I know, has done a good deal for the preservation of what I have called the language of Wessex. I do not know whether still more might not be done; for instance, whether further efforts might not be made by those who take an interest in such subjects, to trace out the distinction between the dialects of Somerset east and west of the Parrett, and the supposed influence of the surviving Celtic race among us upon the language which they learned from their conquerors. However that may be, I can assure those who have not tried, of the intense interest which any one, with a little study and knowledge, may find in keeping his ears open for the local language, and in now and then lighting upon a new word, which carries his thoughts far away, and brings him into connection with half-a-dozen members of the great Teutonic family of languages. In comparing it, and discovering, as he will, its relation or its identity with the German, or Danish, or Early-English—I was on the point of saying Anglo-Saxon—Middle-English, or Gothic, he will find pleasure and profit; but the charm lies in getting such words from the living lips; and he can do so if he keep his ears open.

I will detain you no longer. I have said more than I intended, certainly, but I think I have kept my promise not to impart to you any archæological or geological information. I have only endeavoured to make my words an overture to our meetings; to strike a few notes which may be in harmony with the pursuits of these three days. I hope we may have some

fine drives over the neighbouring country, if we are favoured by the weather, and that those who are strangers here may see some of the splendid views from these our Mendip Alps, of which we have every reason to be proud.

Mr. E. A. FREEMAN moved a vote of thanks to the noble President for the sound and practical advice which he had been good enough to give them. For the last thirty-eight years he had in some measure watched the career of Lord Carlingford, for at that period he had occasion to look up to him as one who did certain things better than he did. Thirty-eight years ago he competed for the Lord Chancellor's prize, the subject being the effects of the Norman Conquest, but Mr. Fortescue, of Christ Church, got it, and he did not. He was very glad indeed that he did not get it, or he might have undergone the temptation—he would not say Lord Carlingford had yielded to it—of thinking that he had done all that he could in the matter, and had no more to learn. But he did not get the prize, and could not possibly, therefore, fall under the temptation. Perhaps in the period named he had learned a little more of that very subject in which Lord Carlingford outdid him. Since then, if his lordship had not written quite so much, he had done a great deal more than he (Mr. Freeman) had, and those who helped to make history were after all the persons whom those who wrote it had to look up to, because if they did not make it others would not have to write it. They had to thank their President for every word that he had said—above all things, for the warning that he had given them with regard to the preservation of the few things that were left. Lord Carlingford had spoken of the restoration of the churches. He for one could heartily agree with every word that the noble President had said on that subject. The most remarkable example of all within the last few years was that of the west end of St. Alban's Abbey, anything like which no mortal man ever saw. It utterly destroyed the whole history—the

wonderful history—of the western part of that remarkable building, and all because one particular man was allowed to work his own fancies. Some edifices were being finished which he could not help thinking would be better left unfinished, and amongst others he might mention the spire of St. Mary Redcliffe church, which was left in an incomplete state for several centuries. He could not help thinking that the man who left it unfinished knew better than the man who finished it. He thought it was a great pity to destroy Bishop Montague's ceiling in the parish church at Bath, which told how the church was left desolate at the dissolution, in the time of Henry VIII, and how the roof was at last put up by Bishop Montague, in the reign of James I. The old ceiling had gone, and in its place they had one with beautiful tracery, which was better in appearance, but it lacked the historic associations of its predecessor. Small domestic antiquities perished daily. There was no part of the kingdom richer in old houses—in the small bits of old houses—than this particular district. In the village of Croscombe nearly every house was an old building, and a great many of them were ancient houses. These were perishing day by day. Two years ago he saw that one of the best doorways in Croscombe was utterly destroyed. Many of these small bits of interesting antiquities had been swept away during the past twenty years, for no reason whatever. They perished daily, and no one seemed to care anything about them. If the owner were a rich man, and lived a long way off, he probably did not know of their existence; and if he were a poor man he swept the relics away in sheer ignorance.

The BISHOP OF BATH AND WELLS said he was only too glad to follow in the very cordial expression of thanks which they all owed to Lord Carlingford for the wise and suggestive remarks that he had made. They particularly interested him, touching, as they did, on so many points worthy of attention.

The resolution was cordially received.

LORD CARLINGFORD, in reply, said he would not detain them beyond a moment. He would only express his most hearty thanks for the way in which they had received the resolution moved by his friend Mr. Fréeman, and seconded by the Lord Bishop of the Diocese. But he must say a word with reference to the anecdote of Mr. Freeman. He remembered that soon after he became a dweller in that part of the country he attended an agricultural dinner at Wells, in the course of which he made the curious and almost grotesque discovery that when, years before, he obtained the Oxford prize for the English essay, upon the subject of the Norman Conquest, he had actually beaten the great historian, Mr. Freeman—who sat beside him at that dinner. He could not avoid at the time a certain sense of pride, but his permanent feeling in the matter had been to congratulate the University of Oxford, and whoever it was who chose the subject for the essay for which Mr. Freeman and he competed, upon the fact—he believed that he drew a reasonable conclusion—that they had directed the mind of Mr. Freeman to that great passage of English history, and so produced the great national work of which they had been since possessed.

This concluded the business of the Annual Meeting.

Excursion : Tuesday.

On the conclusion of the Annual Meeting, the party visited
Shepton Mallet Parish Church.

MRS. B. EDMUND FERREY, F.S.A., commented on the chief architectural features. Beginning outside the west end, he first drew attention to the three broad types of Somerset tower: (1) the Taunton type, where the pinnacles are all of the same height, and where there is no connection between the several stages, as exemplified in St. Mary Magdalene, at Bishop's Lydeard, Bruton, Huish Episcopi, and Chewton Mendip; (2) the Bristol type, where the stair-turret is brought into prominence, as at Dundry, St. Stephen's (Bristol), Yeovil, and Montacute; (3)

the Wrington type,—considered by Mr. Freeman the best, as here the stair-turret is finished off below the bell-chamber, and the rest of the tower thrown into one grand stage. The tower at Shepton was a good instance of the plainer Perpendicular type of the county. In plan, the buttresses resembled those to Evercreech tower, and others in the locality. The three niches above the west doorway represented in the centre our Blessed Lord; on the north side, St. Peter, holding a key in his right hand, and a model of a church in his left. On the south side is the figure of St. Paul. There was the commencement of a spire. The fan-vaulting to the ground storey of the tower, as well as the tower arch itself, were of bold, vigorous Perpendicular work. One was impressed by the unusual narrowness of the nave and charmed by the exquisite and almost unique variety in the roof panels, which was extraordinary; there were said to be two hundred and fifty—no two alike. The body of the church—originally cruciform in plan—had been considerably modernised; the aisles having been rebuilt in 1837, when they were made much wider than before: and the chancel in 1851. The massive piers, of Transitional Norman character, to the nave arcade, which have been much restored, are very unusual, and would seem to indicate some alteration or enlargement of the church in the middle ages. The clerestory was added in “Perpendicular” times. The pulpit is a good example of the same period, though it had been altered since first built. The opening through the pier against which it was attached was, however, original. The picturesque niche at the south-west angle of the chancel arch respond deserved notice. In the rebuilt chancel had been preserved the very beautiful double piscina, of thirteenth century date, supported on two shafts; a design of unusual character. The vestries at the east end of the south aisle were modern. The ancient two-storied sacristy, with its stair-turret, forming a good external feature, still remained on the north side of the chancel, but had been converted into an organ chamber.

Mr. FREEMAN said he had not been inside the church since the Society visited Shepton nineteen years ago. It was well worth comparing with a good many other churches in the neighbourhood, and it had one of the finest roofs anywhere about, being a characteristic type of roof in the county.

Mr. FRANK ALLEN made a few remarks on the comparative width of the nave before and after the restoration.

By will, 7th January, 1520, Richard Raynon gave to the two Guilds of the Church of St. Michael and Michael Stoke, the lands which he bought of Somewell, for which he charged the Guild Wardens of Holy Trinity and St. John Baptist to keep yearly on his burial day, a dirge and two masses by note, fixing payments to the clergy, and a dole in bread. He gave also, after his wife's death, the lease of Smaldon (Evercreech), held for sixty years, and renewable under the bishop, to the church of St. Michael, to secure obits for himself and his wife. (Probate, 1520, in Diocesan Court.) The wardens of this bequest, with the consent of the parishioners, passed the lease, by Indenture, 8th December, 27th Henry VIII, to Elizabeth Fitzjames and her husband, John; and she, in 1545, 37th Henry VIII, sold it to John Horner of Lye, for a sum not named, and a rent of £13. 6s. 8d. for her life; John Horner exonerating her from all charges. (MSS. *penes* T. E. Rogers, of Yarlinton.)

At Shepton, as in other places, church disputes ran high in 1642. The inhabitants (June 9th) petitioned the House of Commons:—That the parish was exceedingly populous,—there being two thousand communicants,—but Mr. Cooth, the parson, would not preach in the afternoon on Sabbath days, and none preached for him. They prayed, therefore, that Mr. Robert Balsome, a pious and orthodox Minister, for whom they were content to make a competent allowance from their own purses, might be settled as their Lecturer. (*Commons Journals.*)

In 1659 a curious dispute arose, the question being, whether the rector of Shepton received a pension or payment of £1. 7s. 8d. from the rector of Croscombe. The questions put to the witnesses were: Do you know, or have you heard, that the rector of Croscombe ever paid the said pension or performed any service in the church of Shepton on St. Peter's day; or that he went into the rectory house to dinner, with a hawk and a hound, on St. Peter's day? Do not the lands of Croscombe and Shepton lie intermixed, and was not the said pension paid, either for tithes or for lands belonging to Shepton? Was not the parson of Croscombe called on, on St. Peter's day, in the parish church of Shepton, to appear there by himself, his man, his hounds, and his hawks, and what was the service or duty required of him? Whether was he to dine with the parson of Shepton, and what to have for dinner? Has the said payment ever been refused?

In answer, John Cooth, "formerly," rector of Shepton, declared that he had received the payment for twenty-two years, and of two former rectors of Croscombe, viz., 6s. 8d. at Christmas, 13s. 4d. on the Feast of St. Peter, and 6s. 8d. at Michaelmas. He had heard from Mr. John Barnard, who presented him to the parsonage, and who died about thirty years since, aged eighty, that the parson of Shepton had endowed Croscombe with some tithes, upon condition, with consent of the patron or ordinary, that the parson of Croscombe should, on St. Peter's day, come into Shepton church, and there read the Epistle. He had heard the clerk in Shepton church, immediately before the Epistle was to be read, on St. Peter's day, call on the parson of Croscombe, saying, three times: "Parson of Croscombe, come in and do thy duty. Parson of Croscombe, come in and do thy duty. Parson of Croscombe, come in and do thy duty." But no parson of Croscombe ever came to his house to dinner, with a hawk and a hound, on the said day.

Another witness said that the grounds of Shepton, about

the west end of Westfield, lie intermixed with Croscombe. In his memory, until of late years the service on St. Peter's day had not been used, the parson of Croscombe was, in the time of morning service, constantly called on to do his duty, but "did fail of his appearance," except only in one year, about twenty years since, when, being present, he stood up in the church and publicly said, "I do acknowledge it, and so it is done;" or words to that effect, but did not do any service, only made a payment of 13s. 4d. There was a door of the church of Shepton called or known as the Croscombe door, which, on St. Peter's day, in the morning, was opened for the parson of Croscombe to come in, if he had so pleased, to do his duty there; but he had never known him answer to the call. The door was not otherwise usually opened. When the aforesaid duty was performed, the parson of Croscombe, taking with him his man, his hawk, and his hound, dined with the parson of Shepton on a calf's head and bacon.

No evidence could be produced to certify that the whole service had ever been fully performed. (*Excheq. Dep.*, Easter, No. 19.)

The Market Cross.

This, the original structure, is well kept in repair, from property left for the purpose.

The first notice of a market is in 19th Henry III (*Close Rolls*, pt. i, m. 16) when Hugh de Vivon was given the right to hold one at his manor of Shepton every Thursday, and also a fair there on the eve, day, and morrow of St. Peter ad Vincula. But this grant was opposed by the bishop, as interfering with his market at Wells, and he obtained an order prohibiting it. (*Close Rolls*, 19th Henry III, m. 1.)

The next year, Hugh de Vivon obtained a grant for the fair to be held on the eve, day, and morrow of St. Peter and St. Paul, notwithstanding the removal of the "market." (*Close Rolls*, 20th Henry III, m. 15.) In the same year (m. 18) the bishop was again on the look out, and obtained an

order that the sheriff should be commanded to cause the charters to be observed concerning markets which were not to set up to the prejudice of the bishop's markets.

In 44th Henry III (*Charter Rolls*, No. 28, m. 5) Robert de Bello Campo, and his heirs, had a grant of a market each week, on Wednesday, and a fair each year, for three days—the vigil, the day, and the morrow of the Decollation of St. John Baptist.

In 11th Edward II, Reginald Fitz-Reginald was granted the same privilege for Wednesday, and a fair each year, for three days—the vigil, the day, and the morrow of the Ascension (*Charter Rolls*, No. 35); and in the same year and month, Cecilia Bello Campo, and her heirs, had also a grant for a market at her manor of Shepton Malet, every Monday, and a fair every year, for three days—the vigil, the day, and the morrow of St. Barnabas the Apostle. (*Charter Rolls*, 11th Edward II, No. 36.)

A list and a history of the fairs and markets for the county should be worked out, with the question of their origin—such as, whether only for the profit of the lord—and with the question of their utility, what the population in early times may have been. The latter question is somewhat difficult, as there are no early data. A poll tax ($\frac{169}{33}$ No. 2) of 51st Edward III (1377), of four pence, from all persons of fourteen years old and upwards, produced in Shepton from 285 persons, £4. 15s.; from Doultling ($\frac{169}{33}$ No. 5), from 145 persons, £2. 8s. 4d.; from Donhead ($\frac{169}{33}$ No. 4), 96 persons, £1. 12s.; and from Stratton ($\frac{238}{135}$ No. 5), for 30 persons, 10s. Allowing, perhaps, half these numbers for children under fourteen, and the total population would be fairly approached.

In a subsidy or tax on lands and goods, 39th Elizabeth (1597), Thomas Strowde paid on land, Stephen Strowde on goods; Margaret Barnard, widow, goods; Edward Strowde, goods; Thomas Strowde, jun., goods; and Gregory Strowde, on land.

In later times some disputes arose about the market, as in 4th Charles I (*Excheq. Dep.*, No. 1, Hilary), when a commission was issued, 28th November, to Edward Bisse, Nathaniel Barnard, Robert Langridge, Esqs.; and John Cooth, clerk, faithful, industrious, and circumspect men, to diligently examine into a cause between William Strode, Esq., *versus* Thomas Millard and William Wilmington.

The interrogatories on behalf of the Strodes were to prove that pent-houses had been extended in length and breadth, encroaching on their market rights.

The charge against Millard was, that he had raised a pent-house, and bulckes under it, annexed to his tenement: one bulcke used for a tailor to work upon, and the other to sell bread upon. The questions raised were, whether there was a custom in the manor that the owners of such bulckes, standings, or stalls, erected at their pleasure within the compass of the pent-house, took the profits thereof. Whether by the custom of the manor the owners sold and bought on market days within the pent-house without paying stallage, pickage, or any charge to the King, more than was on his copy expressed. Whether the owners did not pay three shillings to the King for the moiety of the said messuage, and two shillings and sixpence to Nathaniel Barnard. Whether the stalls and standings without the precincts of the pent-house were not then better frequented on market days than formerly. Whether the pent-house were not parcel of the said messuage, and thatched as the rest was, and whether there was not a "view" had out of the Manor Court of the said pent-house, at the request of Jeffery Strode, owner of the said market place; and, whether the King ever took any profit for any shop, bulcke, standing, stall or stallage, or any rent within the said pent-house.

The charge against Wilmington was regarding a house called the "Bell," held by copy. Whether there had not always been a pent-house annexed. Whether by the custom

of the manor the owner of the "Bell" had at his pleasure built stalls within the compass of the pent-house, and taken the profits. Whether the owner, on market days, had sold and bought there, without paying stallage, or pickage. Whether at any time the King had taken any dues from the said pent-house.

From the depositions, taken 19th January, 1629, it can be gathered that several stalls, bulckes, etc., had been lately erected against the defendants' premises. That Millard's father had erected, where none was before, a board, about a foot broad, supported, not upon the ground, but fastened on gemmales to the shop window, and had taken the rent from the butcher to whom he let it. The butcher stood within Millard's house when he sold. That Wilmington had erected a pent-house or standing about seven years before. That a moiety of the market place was held by William Strode. That William Strode had granted his moiety to John Strode. There was a "view" made by the Manor Court, as to whether Millard had encroached, and Millard went to the Court, and then said to Mr. Strode, "You shall not need to trouble any further in this business, I could desire but to have way to my house with sack and seam, and will hereafter make no use of the said pent-house."

Further disputes arose later, in 1695, when the question was about encroachments on the market place by the addition of pig pens, and taking rent for them, against the interest of the owners of the market. The pigs had before been sold in Parsonage Lane. A standing set up by one, had been thrown down by another, as interfering with the approach to his house. And about forty years before, when several posts were erected to support the pent-houses then built to the Lamb Inn, this was objected to as an encroachment, and it was threatened to pull them down, if they were not removed. On the ground adjoining the "Bell," where a pent-house had newly been erected, there formerly stood a mountebanke's stage. The price paid

for a shamble was from 16s. to 20s. per annum. For a standing, 10s. ; those who set out their own materials, from 4s. to 8s. For pig pens, 1s. and 1s. 6d. weekly. For a peck and tub for the sale of grain or garden fruit, 2d. each market day ; those who did not use a tub or standing paid a pitching penny weekly. For each fish standing, 3d. Those who brought apples in pots or bags, paid two apples out of each bag.

It was shown that one Goody Gibbs, and, after her, one Goody Nutty, set out their own tubs and measures, receiving sometimes a penny, and sometimes two pence for their use. (*Excheq. Dep.*, 7th William III, Trinity, No. 16.) The dispute was renewed at Michaelmas (No. 38), when a book of the churchwardens, of 14th Henry VIII, was produced, showing the profits of the market, but the question was not decided three years later (10th William III, Trinity, No. 17).

The Roman Potter's Kiln,

which was examined with so much interest on the Society's last visit, has since been destroyed. It seems as useless to attempt instruction, as to make any remark on such a proceeding.

The Manor.

As there was more than one manor of Shepton, care will be necessary in tracing their descent. Also as one manor belonged to the King, his lessee often appears of if lord, and so confusion or error may arise therefrom. During the time of the Beauchamps, the place was known as Shepperton Malet ; so also Shepperton Beauchamp. Shepperton, another Beauchamp manor, in Middlesex, still retains the name.

In 24th Henry III, the men of Shepton were commanded to give Henry de Trumbleville twenty-four oxen, wherewith to till the demesne lands of Shypton, notwithstanding that the King had demised the custody of the town to John de Lascy, Earl of Lincoln, until Richard de Clare came of age. (*Close Rolls*, 24th Henry III, m. 21) In the same year an order was made for the purchase of a cup, at a cost of sixty shillings,

to put in it the heart of Henry de Trubleville, and carry it to Normandy. (*Close Rolls*, 24th Henry III, m. 18.) In 1244 an order was made that six oaks be taken from the park of Wells, for joists in the King's chamber at Schipton. (*Close Rolls*, 28th Henry III, m. 13.) Passing to a later time, in 1650, for the purpose of a sale, a Parliamentary survey (No. 37) was made of the manor, "late parcel of the possessions of Charles Stewart, late Prince of Wales and Duke of Cornwall, as part of the possessions of the Duchy of Cornwall." The document consists of fifty-four folios, showing all the names of the tenants, their rents, leases, etc.; the names of the closes and tenements, and the fines payable for renewal. A brief rental of the customary or copyhold tenants, payable at Lady-day and Michaelmas, in equal proportions, is given, with the names of, and the amounts due from, each tenant; the total being £43. 16s. 2½d., and one pound of pepper. The pepper was due, half-a-pound from Mrs. Ann Barnard, relict of Nathaniel Barnard; and half-a-pound from Mrs. Jane Barnard. The profit from the Court Baron and Leet, estrays, deodands, felons' goods, hawking, hunting, fishing, and fowling, and other perquisites, was £4. The reserved rents upon leaseholds were £40. 8s. 9d. per annum. The improved value of the copy-holds for lives, excluding their rents and including their fines and heriots, was estimated at £864. 11s. 7d.; which could be raised by future improvements to £912. 7s. 9½d.—always including the pound of pepper.

There is an account of Shepton manor in the Bodleian Library, *Gough MSS.*, p. 293.

Customs of the Manor.

There is a Court Baron holden at two usual times of the year, about Michaelmas and Lady-day, at the will of the lord.

The Freeholders, copyholders, and cottagers, who hold of the said manor, are to perform their suit and service to the lord at the said Court.

The copyholders do hold of the lord by fines arbitrary, as they can agree with the lord or his steward.

There is a heriot due to the lord upon the death of any tenant dying in possession, of the best live goods, if not otherwise expressed in their copies.

The freeholders do pay a relief upon death, viz., double their rent.

The waifs and estrays, etc., belong to the lord, and to the lord of the other moiety of the said manor, and all estrays to be kept a year, and valued by the tenants of both the lords.

The officers of the manor may drive the prey upon Mendip, which the tenants say is their free common, once a year; and the tenants are bound to give their assistance, upon summons, upon pain of three shillings and four pence each.

The lord usually grants estate of three lives of anything in possession, and the purchaser's wife—that is, the wife of him that is first named in the copy—is to have widow's estate.

The lord may grant, upon the death or surrender of any of the former lives, a copy of three lives in reversion; so that we find five lives in being upon some estates.

The tenants say that the executors of the tenant who dies seised are to hold till the next accustomed feast.

The widow forfeits her widow right by marriage.

If the purchaser receive any money or goods of any of the other lives, for buying the estate, he cannot alter or change such lands without their consent.

The tenants say that upon any reversion to be sold, proclamation is to be made in three open Courts, and the purchaser being dead, the last life may buy further estate; but if he refuse, the lord may sell the same to whom he pleases.

The tenants say they may let their tenements for a year and a day, and the next reversion is to have the first refusal thereof.

The tenants are payneable for want of repairs.

The tenants say they may take any booties of their tenements.

The gift of the parsonage belongs to the two lords to pre-

sent; the one one time, and the other another time. The said parsonage was last disposed of by the lord of the other moiety.

Rabbit Warren on Mendip.

Relating to the manorial rights, a suit was instituted in 1697, by the King and Mr. Edward Strode on the one part, against others, the tenants and the lords of the other manors. The question was the right of making a rabbit warren on Mendip. (*Excheq. Dep.*, 9th William III, Easter, No. 36.)

The interrogatories put were :

What freeholders claimed tenants' rights on Mendip?

Are there any doles or wastes on the forest, and how many, and with whom is the inheritance? Set out their buttals and boundaries.

Dose any furze, heath, or fern grow on the doles; and can the tenants or inhabitants of Shepton fell, mow, or cut, or carry it away without leave of the lord?

Was not a flock of Sheep kept on the doles? Was not it discontinued because the ground did rot the sheep; and was not the ground better after a warren had been made on it?

Was not the warren an advantage to the inns and inhabitants; and what was the flesh of a rabbit there generally sold at?

The depositions answered that there were freeholders who claimed right of common on Mendip. That the eight doles belonging to the Relator's (Mr. Edward Strode) holding, always laid open to the common, and were butted and bounded from a place called Frames Barrs, along with the coal pit way to Croscombe, and then to the leaping stones; so on the Bristol road to Oddams Lane, then with the Relator's ground to Frames Barrs aforesaid. The witness knew all these doles, as when he was a schoolboy, he, with other schoolboys, with their master, went the round of them. They were meted out by heaps of stones at many places, and at all or most of the points thereof. Furze, heath, and fern grew thereon, but no

inhabitant of Shepton could cut or carry it away without leave of the copyholder. About twenty years before, a baker was arrested for so cutting "fursen," and made his peace therefor, giving a bond for future good behaviour; others had likewise been stopped. The ground of the doles was subject to rot sheep; several hundreds had been killed by it, and the Relator left off keeping sheep, having lost many scores of pounds. The ground since the warren was established was more healthy, by the trenching and laying it dry, and the herbage was much sweeter. The sheep were better,—not caring to feed where the rabbits were, and so did not go down into certain marshy places subject to bane. The common land belonged to the inhabitants, but the erection of the warren had not been any damage to the tenants of Shepton, but was an advantage; the land, before of little value, was then let at £18 per annum, and would soon be worth more. The warren, made some fifteen or sixteen years since, at a cost of three or four hundred pounds, was suffered to continue until about five years past, before any damage was pretended. Rabbits were usually sold for eight pence or ten pence a "coople"—an advantageous provision for Shepton. There were several manors; the King was lord of one, Mr. Parker of another, Mr. Edward Strode of another, the heirs of Mrs. Edwards another, and the Rectory was another. The common was used by other parishes having rights of common there, more than by Shepton.

Against all this, it was asserted that the warrener's dog drove away the sheep; that the rabbits destroyed and consumed everything; that the warren was a mile long, and in circumference three miles, and the rabbits often strayed—the number of sheep commoned decreased in consequence; that a house erected—at first pretended to be only a tool house for a gruffe that was intended to be dug—had since been called a lodge house, and a dovecot added. The whole thing was a damage and inconvenience, and several objectors declared they would not renew their estates in the manor.

The common was enclosed in 1785, the award being now among the county records at Taunton.

Luncheon was served at the George Hotel.

Doulting Quarries.

At two o'clock the party left the George Hotel for Doulting, where the Quarries were inspected, a fine portion of the stone being exposed.

Mr. CHARLES TRASK, one of the owners of the quarry, addressed a few remarks, in the course of which he said it was called the northern part of the Doulting free-stone formation. It extended about a mile, and at the farthest extremity the stone, which was of a yellowish colour, was about five feet deeper than it was on the spot where they stood. The stone was identical with that found at Glastonbury Abbey and Wells.

Mr. MCMURTRIE, who undertook to explain the geological features of the district, supplemented Mr. Trask's remarks with a brief description of the Doulting and neighbouring quarries.

Tithe Barn.

After a general survey of this fine example,

Rev. H. MOGG mentioned a curious fact, that cobwebs and spiders were very rarely seen on the roof.

Mr. J. PRANKERD suspected the wood in the roof to be walnut, and as walnut leaves contained prussic acid, the wood also may have a poisonous effect upon spiders.

Relating to this tithe business, Doulting had its squabble, one not without special interest, as it touches on the local question, the time of conversion of arable into pasture. Several such conversions had occurred, two farms had converted as much as fifty acres each. As the tithe of hay was not paid in kind, but by composition in money, the dispute was, that the rectory would be lessened in value, and the owners benefitted.

Short as the story is, it brings before us some scenes now passed away. It was deposed, Michaelmas, 1674 (*Excheq. Dep.*, 27th Charles II, No. 6), that occupiers of all inclosed or in-ground lands, whereon corn was grown, ought by custom and usage to give notice to the rector, or to his farmer, of the time when they intended to carry such corn. The defendant was charged, that he had carried away, without notice, three loads of barley, the tithe whereof would be about sixteen shillings. On the other side it was declared that when the barley was to be carried, notice was given in the morning, the messenger going to the tithe barn, and the tithe farmer was "willed to come at the time appointed" and take his tithe. Coming accordingly to the field, he found three cocks loaded, and then chose to dislike the cocks set aside for the tithe, "whereupon the defendant said, if he did not like those, he could take the next;" but he chose to leave it there "on a mislike," and so the defendant went on with his harvest. The defendant was further charged, that he had mown his hay, worth about fifty shillings, and a tenth of it, worth five shillings, had been set apart by the tithe farmer, and marked as tithe, but the defendant threw it all together again, and carried it away without notice; thus declining to pay tithe for hay, except in money. For the defendant it was declared, that there were several tenements or holdings in Doulting, called whole-yard lands, and half-yard lands, and others called fardles of land: that the tenants of whole-yard lands paid eight pence yearly for tithe hay, and the tenants of half-yards paid four pence each, and the tenants called fardles paid two pence. The defendant's holding was a half-yard land. Tithe of hay was never paid in kind.

Doulting Church.

Mr. FERREY said this was an interesting specimen of a thirteenth century cruciform church, dedicated to St. Aldhelm, having an octagonal central tower, crowned by a later spire.

The building, not long since, had been very much altered, and large portions reconstructed. The transept roofs, which had been restored, were of tie-beam construction, of much the same type as at the neighbouring church of Leigh-on-Mendip. The figures of angels attached to the sides of the centre of the tie-beams were in a rather unusual position. The south porch had been entirely rebuilt on the old lines, and was very like that at Mells church. The inner doorway of the north porch was Norman—showing the church must have been of earlier foundation. The elegant font was a good specimen of rich Perpendicular work. In the churchyard was a cross of the same period, having the emblems of the Passion on it.

Mr. R. H. PAGET, M.P., said that some years ago it was found absolutely necessary to undertake the restoration of the church, which was rapidly falling to pieces. It was hoped that by taking away the four legs that support the octagonal tower, the latter might be preserved. When the work was proceeded with, however, it was found to be impossible to adhere to this scheme, and the tower had to be taken down. The stone was laid piece by piece in the churchyard. It was re-built exactly as it was before. The whole of the work they saw there was of fifteen years standing. The objects of the restoration was to re-produce the building precisely on the old lines. He did not think that any of the windows in the nave were worthy of the historic preservation which they had had so strongly recommended to them. The architect who was engaged in the work was responsible for the introduction of the new windows in the nave. He (Mr. Paget) was free to admit there was no example in the old church. Wherever a piece of work was sufficiently preserved to be re-introduced it was so utilised, and where that was impossible it was faithfully re-produced.

Mr. J. W. BENNETT asked if any addition were made to the height of the tower?

Mr. PAGET answered, that at the recommendation of the

architect an additional height of six feet was given to the octagonal part of the tower.

In the churchyard is a tombstone bearing date 1640.

St. Aldhelm's Well

was next visited, and its history, as connected with the saint, related. This will be found clearly noticed in Mr. Davidson's paper, in Part II.

Case of the Cure by Touch, by a Seventh Son, at Doulting.

The general history of the cure of scrofula by the Royal touch has been often noticed, but, as a local subject, from the rarity of recorded cases, it is still almost new ground.

This power, which brought Royalty so much credit, was not to be allowed without opposition; others claimed it from time to time, one superstition begat another. Especially was it claimed by a seventh son, "never a wench being born between," or better still the seventh son of a seventh son, born under the same condition. The actors were called Stokers, and occasional notices of their existence may be met with, but the following Somerset case must be unique, the first and only one in which the proceedings and routine are actually and officially told. Occurring in the time of Charles I, it was, as usual under Archbishop Laud, referred to the local bishop for inquiry, with orders to report the name of "Ye father of ye 7th sonne that doth cures in Somersetsheer." The King's Council, under date 30th September, 1637, wrote to the bishop, that they had heard that the father, under the above pretence, undertook to do divers cures, and thereby had abused divers of his Majesty's subjects; the bishop was therefore to call the offender before him, as well as any with whom he had had dealings. This letter is signed by

LD. A'BISHOP OF CANT.

LD. KEEPER.

LD. TREASURER.

LD. PRIVY SEAL.

LD. GREAT CHAMBERLAIN.

EARL OF DORSET.

LD. COTTINGTON.

MR. TREASURER.

MR. SECY. WINDEBANK.

The bishop obeyed, and writing from Wells on the 18th Nov., sent his report. He found that the father was William Gilbert, *alias* Yeaton, of Prestley, in Doultling, and the actor, his son Richard. Gilbert had been a butcher, but was then a husbandman, having exchanged a copyhold and a lease, at Evercreech, for another at Doultling, equal to about fifty pounds a year. He was reputed an honest man, with a good understanding, but no learning, only much given to talking and bragging. The child's age was five and three-quarters, and it seemed that widow Yeaton, the grandmother, who did the office of midwife at the child's birth, which occurred on a Sunday, remarked in the hearing of the child's parents and others, that he being the "seaventh sonne and noe daughter borne between," should, by his touch, especially before he was christened, "be fortunate in doing cures," and cure any "wenne," and heal it. This being duly announced, John Norton, a weaver, dwelling in Evercreech, where the child was born, having a "wenne" in his neck, which much troubled him, and was a hindrance at his work, went to Gilbert's house on Monday, the morning after the birth of the child, and was there "stroaked with the hand of the sayd child." The Sunday after this the child was christened, and at the dinner which followed, it was again openly asserted, that as being the "seaventh sonne he might doe wonders."

But jealousy arose from the curious fact that another similar case occurred in the neighbourhood about the same time, and that at the birth the same midwife was employed.

This was with one William Hobbs, a yeoman, dwelling near Prestley, and Joan his wife, who declared that they "alsoe had a seaventh sonne, never a daughter beinge betweene, borne about the same time when the sayd Gilbert's sonne was borne, but the widdow Yeaton, who was the midwife, did not speake anythinge to them at all that a seaventh sonne had any such virtue in him." Here the judicious widow saw no speciality, made no claim for this boy, intending that her own

grandchild should be the only wonder-worker thereabouts.

This self-assertion was rewarded, and Gilbert's child alone was sought.

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About three-quarters of a year after the christening Henry Poyntinge, of Kilmington, yeoman, one who had some skill in bone-setting, being at his brother's house at East Penard, saw that his niece, Rebecca, about fourteen years old, was suffering from the king's evil, having a swelling in her neck. He mentioned to her parents that he had read in a book he had at home, that the "seaventh sonne of any one who had not daughter borne between," could cure such infirmities by touching, and so persuaded Rebecca to go to Gilbert's, at Prestley, for the purpose; and this she did, being the second party that the child had touched.

Bishop Peirce, on hearing of this book, caused Poyntinge to bring it to him, when he found it to be a collection of receipts, without any author's name, entitled—"A Thousand Notable Things of Sundrie Sortes, whereof some are wonderfull, some strange, some pleasant, divers necessary, a great sort profitable, and many very precious," printed in London, 1612. The author was Thomas Lupton, and the words relating to the subject are—"It is manifest by experience that the seaventh male child by just order, never a girl or wench beinge borne between, doth heale onely with touchinge, through a naturall guift, the King's Evill, which is a special guift of God given to Kinges or Queenes as dayly experience doth wnesse."

This book helped to confirm the country people in their opinions, as they easily believed "what they found in print." Simply believing, probably, what every one else believed, Gilbert gave way to those who came, and the work for the child so increased that a rule or plan of procedure was drawn up. The touching took place on Mondays, in the morning—the child fasting; the applicants who were directed to come also fasting, were then touched three Monday mornings "in a row," otherwise it was considered there would be no cure.

Before the child could speak, no words were used, some one simply "did stroake the soares" with the child's hand ; but as soon as was possible he was taught to do all himself, and to say to every one as he stroked:—"I touch and God heales." Inquiry was made to discover who had originated this plan ; the child said that Thomas Bisse, the schoolmaster at Evercreech, had taught him to say the words used, but the "sayd Bisse being examined would acknowledge noe such thing." The father said that Henry Poyntinge "sett downe the afore-sayde methode," and we can well see the bone-setter and reader of old books busy at the task, but on being interrogated he "utterly denyed the same." Some had advised Gilbert to have prayers read, but this was not done, no doubt to the great relief of the bishop's idea of propriety. The repute of the child's powers seems to have grown with time, as for the first four years or so he touched but twenty only, but from the spring to September, in this year, 1637, there came eight or nine every Monday, and from the beginning of September there came sometimes thirty, sometimes forty at a time, besides those who accompanied them, and this not only from Somerset, but from "divers other counties." Amongst these were many persons of "quality," and so numerous was the assemblage that the inns, ale-houses, and private houses in and about Presley were entirely filled. A book was kept of the names and conditions of all who came ; and if this should happen to be at Wells, it would be a curious and interesting record.

As to the success of the child's work, opinions differed ; whilst some asserted that many were cured, others said but few benefited. John Norton, the first touched before the christening, as also Rebecca, who was touched next after that event, both acknowledged that they were eased within a short time ; Norton's wen abated, and Rebecca's broke and healed ; and both considered this the result of the touch.

Others who had been touched agreed that they "within a while after grew better," but would not in their "misconceit

and mistakinge ” consider the medicines they may have before taken, nor the state or ripeness of the abscess at the time they were touched. They grew well after the touching, and of course the touching was the immediate cause. Some, however, were not a “whitt” better, and it seemed that the boy had “touched” his mother for a swelling in her feet, “but did noe good at all.” It was forgotten here that the cure was for the Evil, and it by no means followed that every swelling would or could be benefited. Then came the important question, whether the father had received money or gifts for the boy’s work, or “contracted for any by himself or others.” The child would take no money—always declined, declaring that then he could not heal: but fruit, sugar, points, garters, “skarfes,” and such like trifles were given and taken. The father had not benefited nor used “any imposture or deceit,” but was only carried away by a “simple credulity;” the whole business making him “a little vain-glorious, and swell into a higher conceit of himself than formerly he had showed.”

The result of the inquiry was that the Bishop “did straightly charge and Command” Gilbert not to suffer his child to touch any more, “as he will answeare the contrary at his perill,” and to this he promised obedience, although he expected to be much troubled in putting off the people who would persistently come. In time, by perseverance, he succeeded, and they “gave over” coming, and so far as we can know the practice was discontinued.

Besides the Royal public healings, there were private ones, probably for the “quality.” In 1631, Lord Poulet had a child so much afflicted that she was not expected to survive, and as a last resource she was sent to London to be touched by the Royal hand. Lord Dorchester, Secretary of State, took the child, and on her return home her father’s delight may be best told by himself in a letter now in the *State Papers*. From Hinton, 30th April, he wrote:—

“Ye returne of my sicke childe with so much amendment

hath much revived a sicke Father, who with age, gout, and then an ague, and since taking of physicke am brought very weake, ye debilitye I feele rather gaininge uppon me than I uppon it. I am much joyed that his Majesty was pleased to touch my poor child with his blessed hands, whereby, God's blessing accompanying that means, he hath given me a child which I had so little hope to keep, that I gave directions for her bones, doubting she would never be able to return; but she is come safely home, and mends every day in her health, and ye sight of her gives me as often occasion to remember his Maties gracious goodnesse towards her and me, and in all humilitey and thankfulnessse to acknowledge it. Thanks from my wife and myself to you and your noble lady for ye honour you did us to be troubled with such a guest."

Again in 1643, during the troubles of the Civil War, Sir Charles Berkley was granted a pass for his child to be conveyed in a horse litter from Bruton to Oxford, where the King was, to be there touched. (*Lord's Journals*, vol. 606.)

The practice later took another departure, and has so come down to our time. In 1798, one Dr. Perkins asserted the discovery of a means, by using certain metallic tractors—his own invention—to make great cures. Not wishing to withhold his discovery, he offered the tractors at £5. 5s. the set—"a trifling consideration" for the promised results. They were pointed instruments, to be drawn over and across the skin, or over any part affected, and the effect was produced in about twelve minutes. The advertisement was a pamphlet entitled:

The Influence of Metallic Tractors on the Human Body, in removing various painful inflammatory diseases, such as Rheumatism, Pleurisy, some Gouty affections, etc., etc., lately discovered by Dr. Perkins, of North America; and demonstrated in a series of experiments and observations by Professors Meigs, Woodward, Rogers, etc., etc., by which the importance of the discovery is fully ascertained, and a new field of enquiry opened in the Modern Science of Galvanism or Animal Electricity. 8vo, 1798.

The practice was taken up at Bath by C. C. Langworthy, surgeon, and with such great success that the instruments

obtained a high reputation, and were the subject of general conversation. Mr. Langworthy, in turn, published in pamphlet form :

A view of the Perkiniean Electricity, or an inquiry into the Influence of Metallic Tractors, founded on a newly-discovered principle in Nature, and employed as a remedy in many painful inflammatory diseases,—as Rheumatism, Gout, Quinsy, Pleurisy, Tamefactions, Scalds, Burns, and a variety of other topical complaints : with a Review of Mr. Perkins's late Pamphlet on the subject ; to which is added, an Appendix, containing a variety of experiments, made in London, Bath, Bristol, etc., with a view of ascertaining the efficacy of this practice. 8vo, Bristol, 1798.

The medicos of Bath next took the matter up, and determined to test it, by substituting wooden instruments of their own make, instead of the patent metallics. The result was read as a paper before the Literary and Philosophical Society of Bath, by John Haygarth, M.D., and published as a pamphlet, entitled :

On the Imagination as a cause and as a cure of disorders of the body ; exemplified by Fictitious Tractors, and epidemical convulsions. 8vo, Bath, 1800.

A case of chronic rheumatism was first selected, and the wooden instruments, coloured to imitate the original metallics, were duly used. The doctors being assembled, assumed solemn faces, and kept up a scientific conversation, stop-watch in hand, whilst the wooden tractors were drawn over the body of the patient—sometimes describing circles, sometimes squares and triangles. “To a more curious farce I was never witness,” writes the author ; “we were almost afraid to look each other in the face, lest an involuntary smile should remove the mask.” The patient, however, assured them the pains were removed, and so the fictitious tractors were found to produce results more wonderful than the real.

Moon's Quarry.

Driving by way of Long Cross towards Stoke St. Michael, a halt was made at this basaltic quarry, which is of great geological interest.

Mr. McMURTRIE explained, and said that the quarry was

noteworthy as one of the most recent geological discoveries that they had in that part of Somerset. Although the country was carefully surveyed by Government surveyors for many years, as well as by private geologists, no trace was found of igneous rock. It was due to the late Mr. Charles Moore, who formerly attended the meetings of the Society, that the rock was discovered. It was an isolated piece, and extended over a considerable area—extending from Tadhill House, on the east, to Beacon Hill, on the west; a distance of between two and three miles. There had been a great upheaval of the earth's surface, and from the spot on which they stood something like 12,000 or 15,000 feet of rock had been entirely washed away.

In order to give the visitors an idea of the mode of obtaining the quarry, a charge of 1lb. of dynamite and 8lbs. of gunpowder was exploded within the rock at the face of the chief boulder. The result was that about 400 tons were dislodged; half of this quantity being precipitated to the ground, while the rest was considerably loosened, and required very little effort to recover it.

The Return Journey.

The return journey was along the ridge of the Mendips, a halt being made at Beacon Hill, where a mound on the summit, crowned by a rough upright stone, was the object of considerable curiosity. Many conjectures were made respecting the origin of the stone, the general opinion being that the mound was of an artificial character, and the stone was possibly erected as a memorial.

Mr. GREEN said there could be no doubt the spot had been used for a beacon, but he could give no mention of it: he knew of only one mention of a beacon in Somerset, and that one was on Hamdon Hill.

Preb. SCARTH said that such mounds were frequently found not very far distant from Roman roads.

Several amusing anecdotes were related concerning such

stones, all tending to impress the necessity of caution on the antiquary.

After a pleasant drive, Shepton was reached about six o'clock.

A goodly company assembled for the dinner, which was well served; the President in the chair.

Evening Meeting.

At eight o'clock there was a meeting in the Music Hall, which was well filled.

Lord Carlingford being unable to attend, the chair was taken by Mr. W. E. Surtees.

The CHAIRMAN called first on Mr. Arthur Malet to read a paper on the Malet family, particularly interesting, as the manor had been so long owned by his ancestors. Mr. Malet's paper will be found printed in Part II.

The CHAIRMAN, thanking Mr. Malet, explained that he was working out a history of his family, so long connected with the county of Somerset, and especially that neighbourhood. Any information that could be given, Mr. Malet would be grateful for.

Mr. A. J. MONDAY said he always understood that the first of the Malets married the heiress of De Corcelle.

Other suggestions were made towards solving Mr. Malet's difficulties.

The Prebendary of Dinder.

Canon CHURCH next read a paper on "The Prebendary of Dinder." This will be found printed in Part II.

Mr. SOMERVILLE, after thanking Canon Church for his very able and interesting paper, said that the few remarks he had to make would be directed to the effect of the Cathedral Act of 1840 upon this Prebend, and the action taken by himself, in disputing the validity of the Bishop's separate appointments to the Prebend and Rectory, consequent upon the death of the late Prebendary of Dinder, the Rev. T. J. Bumpstead.

Referring to the Act of 1840, he said, that so far as this particular point was concerned, the Act had received no judicial construction until the case of the "*Dean of Lichfield v. the Rectory of Tatenhill* [*R. v. Champneys*, 6 L.R., C.P. 384], in the year 1870. The effect of that decision was that, where an office, proposed to be dealt with under the Cathedral Act, had an active cure of souls annexed to it as part of its emoluments, the cure of souls and the particular emoluments supporting the cure could not be separated from that office. The reasons for this decision were as follows: the Ecclesiastical Commissioners are a mixed body, composed of clerics and laymen: all property dealt with under that Act was primarily vested in the Ecclesiastical Commissioners: a purely spiritual office, *e.g.*, a cure of souls, could not, however, be vested in a body composed partly of laymen; it remained, therefore, untouched by the provisions of the Act. It would, moreover, be inequitable to divest the cure of souls of the temporalities supporting it, and these, too, therefore remained untouched. The Act consequently only applied to sinecure rectories; not to rectories with an active cure of souls.

The Prebend of Dinder was a similar case; for, in the paper just read, it had been clearly shown that the Prebendaries of Dinder, for a period of 300 years, at least, if not longer, had been also the Rectors of Dinder, without any further act of appointment as Rectors. Canon Church had stated that the Ecclesiastical Commissioners had acted under the highest legal authority of that day when they severed the Prebend and Rectory of Dinder, but Mr. Somerville maintained there was no evidence that a full enquiry had been made at that time into the history of this Prebend (in fact, he was in a position to state that there was no report of such an enquiry in the hands of the Commissioners), and he submitted that the learned Queen's Counsel who had lately given an opinion against the legality of the severance was, perhaps, an even more competent authority on Ecclesiastical Law,

than the authority who had advised the Ecclesiastical Commissioners in 1845. That opinion just given had been supported by another eminent Queen's Counsel, and the Lord Chief Justice of England had upheld it by his award.

A point had arisen as to whether the Prebendal lands were part of the "emoluments supporting the cure of souls," or whether, as the Prebend was probably endowed with the Prebendal land before the Chapelry developed into a Rectory, the Prebendal land might not be regarded as a distinct property, supporting the office and dignity of the Prebendary. If the latter view were correct, the Prebendal land was legally dealt with by the Ecclesiastical Commissioners under the Act of 1840, though they could not legally touch the Rectory and its temporalities.

[Since the reading of this paper, an arrangement has been entered into by the Lord Bishop, as Patron of the Prebend of Dinder, and Mr. Somerville, whose predecessors bought the Prebendal land, partly from the Ecclesiastical Commissioners, and partly from their immediate purchaser, that Mr. Somerville should pay a further sum in satisfaction of all present and future claims in respect of this land: and the Ecclesiastical Commissioners having contributed a like amount, these two sums are now held in trust by the Ecclesiastical Commissioners for the Prebendaries and Rectors of Dinder, who will receive the income derived from this fund.]

Canon Church had omitted in his paper to give any account of the endowment of the Prebend with this land, and he was in error when describing the Prebendal estate as of little value. This estate represented a capital sum, which, at four per cent., would now give a return equal in amount to about one-quarter of the income of the Rectory.

With regard to the proceedings taken to test the validity of the separation of Prebend and Rectory, the present was practically the first opportunity that had arisen since the passing of the act of 1840. For though, since the resignation of Dr.

Jenkyn, in 1845, there had been separate institutions to the Prebend and Rectory, the same person had been appointed to both, and one of the institutions might have been regarded as an act of supererogation.

The present was therefore the proper time to raise the question; the parishioners of Dinder valued the position of their Rector as a Prebendary of Wells Cathdral, and Mr. Somerville considered that, in *preserving* this interesting historical landmark—for the destruction of which no sufficient cause had been shown—he was not only guarding the interests of his fellow-parishioners, but also forwarding one of the objects of this Society, which is to preserve every thing worth preserving, and which helps to build up the history of the county.

Mr. E. A. FREEMAN said he could not understand the least bit in the world how it was possible to cut off a greater thing from a less. How could a rectory be cut off from a vicarage? That was a point altogether beyond him. Here was the Rectory of Dinder cut off from the Vicarage of St. Cuthbert's. Somehow—he did not know how—it became a Rectory, but he supposed it received great tithes. It appeared that it went on being a chapel after St. Cuthbert's had been appropriated, and become a vicarage. The Dean and Chapter would, he imagined, receive the tithe of Dinder. To have made Dinder a rectory, a great tithe must have been given up by the Dean and Chapter to the Prebendary of Dinder. The change was perfectly possible, but it was very odd, and there was no similar case on record. He should be very much obliged if any body could fish up the missing documents or explain how the change took place.

Canon CHURCH: The missing link.

Mr. CHISHOLM BATTEN said that with regard to the point which Mr. Freeman had touched upon, as to how a vicarage could be converted into a rectory, Mr. Justice Dodderidge, who was a great lawyer in the time of James I, maintained that a vicarage was a state of thralldom, and that tithes

only belonged to the clergyman of the parish from which they were derived. That was a condition which was imposed upon tithes by common law, and it was held that if a vicarage were once presented by the owner of the appropriate rectory, whether that owner were the Dean and Chapter, or any other personage who could hold an appropriate rectory, it ceased to be a vicarage, and became a rectory. That would be without any documents whatever. He was only suggesting that, as it happened to be a point which had been discussed several times in the Law Courts. If an appropriate rector, being patron, treated the vicarage as a rectory, it was at once emancipated from the thralldom in which it was placed by its being appropriate, and became a rectory again.

Mr. FREEMAN said he had heard of that law before. It, however, implied that the patron and appropriate rector were the same person. That was not the case with Dinder, which was an appendage of St. Cuthbert's, where the patron was the Bishop. The cases were not at all the same.

The Rev. J. COWDEN COLE said there were many cases where perpetual curacies became rectories, by the incumbent for the time being taking upon himself the title of rector. That might grow in the course of years, and the title of rector would apply to the incumbent of the parish.

The CHAIRMAN having thanked Canon Church, called on

Mr. A. J. MONDAY, who read a paper on "Some Somerset Wills." Printed in Part II.

Mr. F. ALLEN referred to the derivation of the word "yeoman," and said that it was supposed to be derived from the Anglo-Saxon.

The Rev. J. C. COLE said that some of the statements contained in Mr. Monday's paper supported the theory of the impoverished state of rural parts of England in early times.

Mr. MONDAY said he found that the population was very poor at the time of the dissolution of the monasteries, but the country got very prosperous indeed towards the end of

the time of Elizabeth. The Spanish treasure ships brought much money into the country.

Mr. GREEN said no doubt the reign of Queen Elizabeth was an extremely prosperous one. Holdings in the earlier times were very small. The yeomen were the freeholders or copy-holders, as distinguished from other cultivators of land let to farm. A labourer was totally distinct.

Mr. CHISHOLM BATTEN, in the course of the evening, exhibited a silver cup or chalice, found in a priest's coffin at Wells.

The meeting then closed.

Excursion : Wednesday.

The weather proved most unfavourable, a fine rain descending steadily throughout the day. This being almost the first wet day, after an extraordinary and dry summer, the circumstance was especially vexing; as, besides the fine views, the district to be traversed was of especial geological interest, and so required exactly opposite conditions.

The breaks left Shepton at half-past nine, and, passing through Doultling by Long Cross, to Tad Hill, turned there to

Leigh-on-Mendip Church.

This was found undergoing "restoration."

The HON. SEC., in a few remarks, hoped the restoration would mean preservation. He also related the occurrence of a singular outrage, about 1858, when a gun, loaded with blood instead of shot, was fired, during service, through the west window of the north aisle, at the incumbent, who was knocked out of the reading desk.

Mr. FERREY said the most striking feature in the church was its beautiful and lofty western tower, of the best period of of Perpendicular. Situated on a high part of the Mendip district, it had evidently been built as a kind of land-mark, like the tower at Dundry. The rich array of pinnacles had a very good effect. The bell-chamber stage was an example of

the more elaborate type of Somerset tower, as there were *three* two-light windows to each side, instead of *two*. The niches round the lower part were of very similar character to those to the tower of Kilmersdon church. The tower buttresses were effectively arranged, and resembled those at Evercreech. The nave seemed low and short in proportion to the tower, and then the chancel again was much lower than the nave, the chancel arch also being of little height. All this tended to make the building of remarkable proportions. The nave and south aisle were built up against the tower, with a straight joint, showing they were of later date. The nave parapet was of rich and rather unusual character, having a *double* row of quatre-foil panels. The south aisle parapet had been restored, of which there was some evidence, as one part of it had the sculptured date 1620. There were no labels to the windows on the south side of the nave, a characteristic Mr. Ferrey had noticed in mountainous districts, where the churches were generally simple. In the porch on the south side was a chamfered, round-arched stoup, which he, however, did not think was Norman, owing to the appearance of the masonry and other indications. It was probably of the thirteenth century. The stone vaulting to the ground storey of the interior of the tower had been destroyed, only the springers remaining. The tower arch was a good specimen of Perpendicular work. The beautiful tie-beam roof to the nave was of the same type as that to Evercreech church, the easternmost bay being more ornamented than the remainder, as it was over where the rood-beam stood—a distinction not uncommon in the middle ages. The south aisle roof was modern, but that to the north aisle was ancient. The font was early Norman. The nave arcade was the ordinary late Perpendicular Somerset type, but the difference between the bases on the north and south sides should be observed; those on the north were of peculiar design. The chancel roof was of exquisite composition, especially the richly carved cornice. The corbels on the north

and south walls of the chancel, a little west of the sanctuary, were probably intended to carry the Lenten veil. He was informed there was a similar example at Orchardleigh church, near Frome. Fragments of the old painted glass remained in the east window.

The several details of the exterior were duly examined and admired.

Tithe Dispute.

A case relating to the tithes here is curious, showing how troublesome and vexatious the process was in 1754. The dispute arose from the enclosures of arable for pasture; attempted evasions; and whether the tithe were paid in kind or by modus. On the one side it was asserted (*Excheq. Dep.*, 28th Geo. II, Mich., No. 2) that a modus of 3s. 6d. was annually paid for certain closes; on others, 2s. One shilling in the pound was the customary for all meadow and pasture. Tithe was never taken in kind; the modus was 1s. for pasture, 4s. 6d. an acre for wheat, and 2s. 6d. per acre for all other corn. On the other side it was stated that tithe of corn was taken in kind, and one witness had seen the waggons carrying the corn to the parsonage barn: but for hay there was a modus (Michaelmas, No. 5). The rector of Mells had imposed an additional tithe of £5 to augment the curate's stipend, which, about sixty years before, was from £12 a year, raised to £15, and from the then additional tithe would be £20. The curate, in his evidence, said that tithe in Mells was taken in kind, but in Leigh by modus. From £15 a year his stipend had been raised to £18. It will be seen here that the rector made a profit of £2—in fact, took his tithe from the curate.

In 1755, the following year (*Excheq. Dep.*, Michaelmas, No. 11), there was another suit from Leigh, to determine the tithe on cattle and garden produce. The defendant said that he occupied two gardens, about three-quarters of an acre, and two orchards. In the gardens he had about five pecks of beans worth 10d., which he ate; some cabbages, worth per-

haps 2s.; and potatoes, worth 2s. 6d. In the orchards there were three bushels of bad apples, worth 3s., and in one orchard about two bushels of potatoes, worth 2s.; cabbage, worth 1s. 6d.; and half a peck of apples, worth 2d. He had cut two coppices, about an acre and a half, and sold the produce for £1. 6s.; the cutting cost, 5s. 10d. With some hedge wood he had made about three hundred and fifty faggots, which sold for 8s. the hundred, and some poles, which sold for 16s.; cutting and making, 40s. What the tithe would be, if any were due, he could not say.

Another witness said he had kept a cock and two hens, there had been six chicken, but very few eggs. What the tithe for them would be he could not say. Another had cut six tons of hay, the tithe for it would be 6s.: on another ground he had two tons, and this being well made, the tithe was worth 4s.; a previous year these paddocks had produced four tons of hay, worth £4; he had kept thereon two cows and a mare, but if tithe were paid on the hay, he submitted that he should not pay for the grass. Two calves had been sold for 14s., and a colt was foaled, but what tithe was due he knew not. Had never heard that faggots were titheable.

Another witness summoned, said he had two apple trees and three "grabb" trees, and some potatoes, the tithe he considered not worth more than 6d. a year. He had a cock and three hens, but could give no information about the eggs, nor the value of the tithe.

As these witnesses were evidently shirking the question, on behalf of the rector exceptions were taken to their depositions, as being evasive, insufficient, and defective, and as not setting out the tithe payable. Consequently, at Easter following, the case came on again (29th Geo. II, No. 1), when the witnesses were further examined, and answering more minutely, one stated that he had kept a cock and four hens, the produce being eighty eggs, the value of the tithe thereon being 2d. Another in one year had three calves, and the next year

one, the tithe on the three would be 1s. 6d., and on the one, 6d. He had also grown five pecks of beans, tithe, 1d. ; a hundred cabbages, tithe, 2d. ; three bushels of potatoes, tithe, 3d. ; and three bushels of apples, tithe worth 4d. Another owned three dry cows, the tithe on them being 3s. ; and a mare, tithe, 4d.

The Manor House.

This building, whose existence is noted as in early days the residence of the Horners, has now entirely disappeared. It is said to have stood just westward of the church tower. In 1504 (Plea Rolls, 19th Henry VII, m. 30,) an action was brought by John Horner, of Lygh, against the escheator or tax collector, for that he by force and arms, viz. : with staves, vacie, and bows and arrows, on the 12th August, 18th Henry VII, (1503), his close and house at Lygh broke open and entered, and nine cows, and six oxen, value £10 ; and three spoons of silver, a mazer, bound with silver and party gilt, with a cover for the same with a knop of silver and party gilt ; twelve yards of woollen cloth, coloured white ; four yards of woollen cloth, coloured yellow ; four elnas of linen cloth of holland ; one belt of silk, coloured black, harnessed with silver ; half a yard of damask ; a yard and a half of velvet ; four elnas of worsted ; five pairs of brigandines ; two salettes ; four blades, called swords ; a knife, called a wood knife ; a bow ; a saddle and two bridles ; together worth £12, the goods and chattles of the said plaintiff ; and the same took, abducted, and deported against the peace of the Lord the King, and by which the plaintiff was damaged to the value of eighty marks.

The defendant appeared, and stating that he was not advised, and not being ready to answer, asked an adjournment to Hilary Term. This being conceded, at Hilary the same parties appeared, when the escheator again made the same answer, followed by the same request, asking now an adjournment to Easter. This being also granted, probably Mr. Horner would not care to meet such tactics, as no more is found of the case. The cause of the distress being made is not stated.

The party then drove, by kind permission of Mr. Fortescue Horner, through Mells Park to

Mells Church.

Mr. FERREY said this church had been built mainly in the fifteenth century. He was told that since the year 1846, the building had been, more or less, under restoration. The east window of the chancel was the original one repaired, but had been re-set higher in the gable. It had evidence of having been earlier in date than the rest of the church, as the tracery was transitional from Flowing Decorated to Perpendicular, with a very wide central light; the side ones were narrower. There was a good piscina of the thirteenth century, belonging, probably, to an earlier church. The stone "mensa" of the altar appeared to be also of the same period, judging from the design of the consecration crosses on it. The arches separating the chancel on the north and south sides from its chapels were curious; the western-most arches were wide, the eastern, low and narrow. Though alike in general appearance, the mouldings and capitals were different, the arch on the north side being the earlier in date. There had evidently been some alteration in construction, either during the progress of the work, or subsequently. One of the shafts had been corbelled out on the north side, whereas on the south, it was continued down to the floor. The chancel arch itself appeared of later date. The roof was entirely modern, and its design was not a reproduction of the original roof. In the chancel there was also a good brass chandelier, dated 1721, and a curious Bible, of the date 1617. In the north chancel chapel was a monument to Sir John Horner, 1659. The rood-turret, now enclosed within the chapel, was evidently formerly external work before the latter was built. There must have been some alteration in the design in the upper part of the turret, as the steps now terminate below the rood-loft doorway. The charming two-storied sacristy, with semi-octagonal end, attached to the south side of the south chancel chapel, was a specimen of

rich late Perpendicular work, mentioned, in 1542, by Leland. Its design and arrangement are uncommon. It was built by one Garland, of London, whose arms appear on a shield externally. In the roof of the upper room have been re-used portions of the panelling from the old Jacobean pews (now replaced by modern Gothic work). In this apartment is now hung an interesting but very small triptych, almost of Byzantine character, but not belonging to this church. It is probably, however, not earlier than the fourteenth century. In the windows of this chamber are preserved fragments of painted glass of various dates. The nave arcade had very delicately moulded Perpendicular capitals, and bases with mouldings of a larger scale. There was a pleasing peculiarity in the arch mouldings of same date, which suggested more of a Decorated feature. The clerestory had been added at a later period. Some old fragments of mediæval fifteenth century wood tracery have been judiciously worked up to form a litany desk. The font was apparently of the Transitional Norman period, with a cable moulding, and having a bowl of rather large dimensions. One of the most remarkable features in the fittings of the church was the original Jacobean bench ends, which were of very good design. The panelling round the walls had been formed out of the old Jacobean pews. The porch, with parvise over it, was much like that at Doulting. In the parvise some of the old pew panelling had been utilised, and there were some interesting fragments of old carved and moulded stonework. The beautiful fan-vaulting to the porch should be noticed. The tower arch was also of bold, effective character, of about the same period as the nave arcade. The ground storey of the tower was vaulted with a kind of fan-tracery, and possessed a stone bench-table. The ancient sancte bell-turret (with a modern cross) over the east gable of the nave still existed. There had manifestly been some change in design of the fine tower, in the upper part, above the parapet string-course. The parapet did not seem to belong to, or spring from, the

architectural features beneath it. The composition of the bell-chamber stage resembled that at Leigh-on-Mendip, not suggesting so plain a parapet, which did not sit well upon its substructure; the plain parapet was appropriate enough at Kilmersdon, where the tower was of simpler design. His decided impression was, that originally the parapet to this tower had been intended to be of an ornate and elaborate character as that to Leigh-on-Mendip, with its numerous elegant pinnacles.

Mr. E. A. FREEMAN made some observations upon the church, and remarked that on the previous day they were in a much larger and, in one respect, a much grander church—that of Shepton Mallet. There was nothing in Mells church to set against the splendid roof of Shepton Mallet, but at Mells artistic design was exhibited, while at Shepton there was none, and no attempt had been made to harmonise works of different times together. Of course it might easily happen that they might have works of different times well adapted together. At Mells they had on a small scale a real design. There were the four bays of clerestory windows; each window set over its own arch. At Shepton the clerestory had absolutely nothing to do with the arcade below. There was more design at Mells than there was at Leigh-on-Mendip. The tower had the massiveness and finish of the great towers of Taunton and Bishop's Lydeard. Though Mells was a great advance on such an utter lack of design as they saw at Shepton, yet it did not come up to the other churches in the county. At Leigh-on-Mendip the tower was out of proportion to the church—it was too tall for the edifice, and not tall enough for itself, as it wanted another bay. Referring to the bare walls of Mells church, he said they had gone through the process of denudation, and the plaster had been removed. One of the strange notions of a modern architect was to make the inside of a church look naked and uncomfortable, and like the outside. Where they found their authority for this he did not know,

but if they turned a modern architect into an old building, he first got rid of the plaster, then of the roof, and next of the windows, and the thing was turned out with none of the features which the original builder meant it to have. He remembered there used to be a remarkable set of 17th century seats in the church, but they were wonderfully uncomfortable, and he was not surprised that the present seats were preferred; they were more suited for the practical purpose of church seats.

After examining the external features of the church, the party proceeded next to the

Tithe Barn,

REV. GEO. HORNER said the only documentary evidence relating to it was a record that Abbot John of Taunton, built a grange here, and he presumed that this was part of the building.

Geology of the Mendips.

Being unable, on account of the rain, to give any explanation of the local geology at Leigh, the plans and maps provided for demonstration, here safely sheltered, were suspended on the walls of the barn, and

MR. MCMURTRIE, by the aid of these diagrams, gave a most interesting and lucid description of the district. He reminded them that on the previous day they had examined the Basaltic dyke near Stoke Lane, which was intimately connected with the elevation of the Mendip Hills.

The Mendips formed a true anticlinal, the centre of the ridge, consisting of the Old Red Sandstone, which was the oldest rock exposed in that part of the county. Next in ascending order came the Mountain Limestone shales and Mountain Limestone, which had been tilted up at a high angle, and dipped away northwards and southwards from the centre of the hills. Above the Mountain Limestone came the Millstone Grit, forming the floor of the Coal basin, which commenced on the northern flank of the Mendips, and stretched away northwards towards

Bath and Bristol, the Coal measures being in many places overlaid and concealed from view by newer formations.

Adjoining the Mendip Hills, however, the Coal beds were exposed over a considerable area, and resting upon them there occurred three large detached areas of Mountain Limestone at Luckington and Vobster, which had long been a source of wonder to geologists. They were formerly supposed to have been faulted up through the Coal measures, but it had since been ascertained that they were superficial masses, of no great thickness; the Coal measures beneath being continuous.

The theory now generally accepted was, that the Mendips having been raised to a great elevation, the Mountain Limestone on their northern flank had not only become vertical, but had been folded over on the top of the Coal measures, which had also in their turn been doubled back. In the course of the denudation that followed, a great deal had been washed away, but these outliers still remained as a record of one of the most remarkable features in physical geology to be met with in this country.

Mr. McMurtrie pointed out by means of a map, showing a section from Downhead to Radstock, the position of the various formations he had endeavoured to describe, and especially directed attention to the remarkable effect produced by the Mendip upheaval upon the interior of the Coal basin near Radstock.

When the Coal measures were folded over, during the elevation of the Mendip range, great lateral pressure had been produced, and an upper slice of the Coal measures had been thrust bodily forward, forming the great overlap or slide-fault of Radstock, which he hoped to have an opportunity of explaining more fully on the following day.

The Mendip upheaval appeared to have a very wide range. It could be traced from the Welsh Coal fields, near Tenby, across the Bristol Channel, to Weston and Clevedon, and thence along the ridge of the Mendips, to Frome, where it was

lost sight of; but it probably passed, at a great depth, under the south-east of England, and re-appeared in the Belgian Coal fields, where very similar physical features presented themselves.

Returning to the

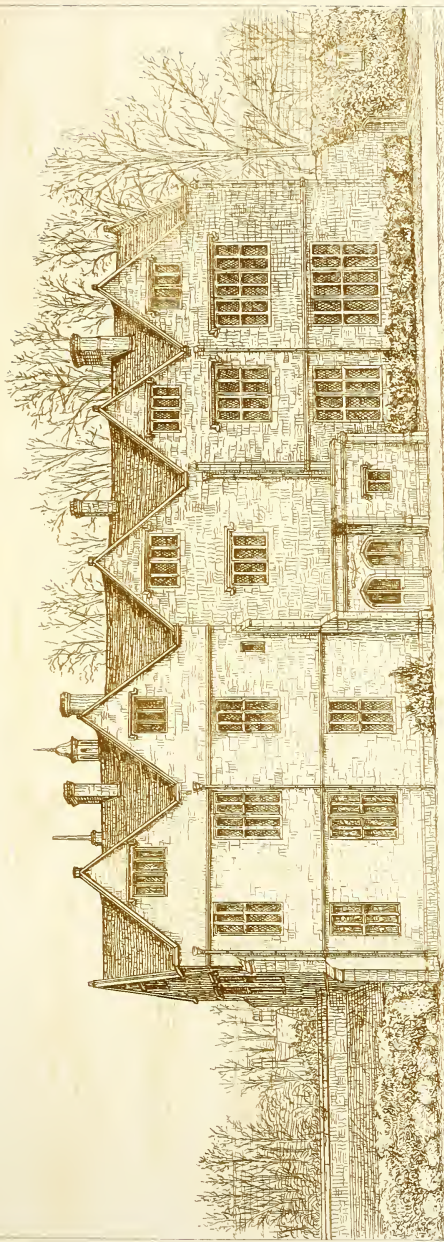
Manor House.

Standing just without the northern entrance, Mr. GREEN said that the house was originally built in the form of the letter H. It was here that King Charles I stayed in 1644, when on his way from Bath to Devonshire. Symonds, a Royalist officer, whose *Diary* exists, says: "The King lay at Sir John Horner's howse at Mells, a faire large howse of stone, very strong, in form of a H; two courts. The church is very large and faire, adjoyning. Horner is in rebellion, his estate sequestered, £1000 per annum." It would be observed that, say one half—the northern half—of this house had disappeared; both courts had gone, as with the removal of the middle bar, connecting the wings, would be the case. This joining bar crossed from the present entrance about where they stood. The rooms were all good, evidently not early; but it was difficult to judge their date, as every characteristic detail, such as the ceilings and fire-places had disappeared. This fashion of building in the form of a letter clearly arises or evolves from the Elizabethan form, the letter E. The mad idea had but a short existence; probably from 1575 to 1595. One house was built in a triangular form; another took the shape of a Greek cross. In the Soane Museum there is the plan of a house arranged or formed by the letters **IT**; a very curious plan. On the side is written—

These 2 letters, I and T,
ioyned together as you see,
Is ment for a dwelling house for mee.

JOHN THORPE.

John Thorpe was the designer of Burghley, and other Halls. To this time Mells may be assigned, as about 1590. Were the house perfect, it would probably be unique.



Mell's Manor House

Wm Badgrood
July 1885



The Manor.

The following legal proceedings exemplify that the Law's delay is not of modern origin. In 1415 (*Plea Rolls*, 3rd Henry V, No. 131, m. 1^d) an action was brought against the tax collectors, that they unjustly, by colour of their office, at Mellys, the close of John Tucker entered, and four oxen and one horse, with five marks, took and led away, and the said oxen and horse detained. For this Tucker claimed £10 damages. The collectors, defending themselves, declared that the oxen and horse were not of that value; that in the 8th Edward II, the manor of Mellys was assessed at £4. 6s. 8d., and that the seneschal of the Abbey of Glaston agreed with the collectors to pay £20, in gross, increment of increased value for all taxes on the manors of the Abbey and Glaston XII Hides; that Mells was assessed at 30s., as part of the said increment; and that from the date aforesaid the men of Mells had paid the 30s., besides the £4. 6s. 8d. The defendant, a free man and free tenant of the manor, declared that Mellys paid only £4. 6s. 8d., and had never paid the 30s., unless by extortion of the collectors, and by order of the Abbot of Glastonbury. Hilary Term was appointed as the time for hearing the case, when the parties attended—Tucker in person, the others by attorney; but the Court “not being sufficiently advised,” adjourned the case to Easter. At Easter the parties appeared by attorney, when there was another adjournment to Trinity; when there was another adjournment to Michaelmas; when the same thing occurred until Hilary again; so again then to Easter, to Trinity, to Michaelmas, to Hilary, and to Easter again. From the space left, the clerk expected clearly further repetition; but probably all patience was exhausted, and the matter dropped.

In 1524, Easter Term, 15th Henry VIII (Court of Requests, Orders and Decrees, Vol. 5, 14th—25th Henry VIII, fol. 41 pencil; 21 in ink,) an action was brought against John Horner,

of Lygh, gent., for taking possession of a messuage, &c., in Mells, called Farm Place, and also certain corn, cattle, and household stuff. The Council, however, found that Mr. Horner had, by indenture, duly purchased the said land, &c., and decreed accordingly. As bringing nearer our own time the customs as regards the manor mill, there was an action in 1661, (Excheq. Dep. 13th,—14th, Charles II, Hil., No. 11,) on the question whether any toll or multure were due to a certain water corn mill, being the ancient custom mill of the manor of Mells. Whether, if the tenants did not have their corn ground there, they were not presented at the Court of the Manor for not doing their suit to, or at, the said mill, and “paines” put upon then for refusal, and whether, if they carried their corn to another mill, they did not pay half the toll to the manor mill notwithstanding. A further question was, whether there was a right to grind malt at a private quern. Five querns for malt had been erected in Mells, within twenty years, to the damage of the manor mill, and besides the question of right, it was attempted to be shown that the people who ground malt at these querns were deceived thereby, “in regard that the malt makes less beer, for that the corns are but broken and not ground.”

As the manor, from an early date, was ecclesiastical property, it has but little personal history. At the dissolution of the attainted monastery of Glastonbury, its property being forfeited to the Crown, Mells was bought in due form by Mr. John Horner. The documents are still extant. The later descent with the Horners is well known, but there is connected with it, locally at least, an association with the nursery rhyme of

Little Jack Horner
Sat in a corner, &c.

As with other such jingles, the origin of this one must be sought at a much earlier date. The story of Jack Horner, as may be supposed, took the form of a popular chap book; this was entitled :—

The pleasant History of Jack Horner. Containing the witty Pranks he play'd from his Youth to his riper years. Being pleasant for Winter Evenings.

The verses, occupying twenty pages, make no local allusion ; on the contrary they begin :—

Jack Horner was a pretty lad,
Near London he did dwell ;
His father's heart he made full glad,
His mother lov'd him well.
And in the corner would he sit,
In Christmas Holidays.
When friends did together meet,
To pass away the time,
Little Jack he sure would eat,
His Christmas pie in rhyme.

Then comes in the rhyme, and as the story continues, Jack, in time, goes out to service under a certain knight, plays a prank with a miraculous basin, slays a terrible giant, and finally marries the knight's daughter.

The story is founded on a metrical ballad, called "The Basyn," preserved to us in the Cambridge Library, in a manuscript of the fourteenth century, soon after the year 1300. Thus an early origin is indicated. As with so many of these tales, the story of "The Basyn" tells how a priest was detected with his paramour ; the means being Jack's miraculous basin. The familiar nursery rhyme, however, is not part of this early tale, although incorporated later in the chap book story. But by translating this rhyme phonetically into Dutch—low Saxon—a much earlier origin is at once suggested.

Lijt'el Jacke Hoornaê,
Sat in de kooren er,
Hij ding er kruijse m'aes by,
Hij put in ijse te om
End puijld uit er plomp,
End kraeyit, O ! wat er good boeye Am Hey !

The allusion here is again to the (Jack) tonsured lawyer, the "clerk," who, drawing profit from the terror he spreads around, while he grows fat by the traffic, exclaims: "Oh what an excellent milch cow is 'Am Hey ;'" *i.e.*, his clodhopper

dupe. Hornaê also is a satirical allusion for a lawyer or magistrate.

The Liberty of Mells and Leigh.

The question of the origin of a Liberty must often excite curiosity. The origin of the Hundred can be known, but the beginning of the Liberty, an off-cut from the Hundred, is not so easily traced. Perhaps the following incidents may aid in the present instance.

In 1254, there arose a dispute between the Abbot of Glastonbury and the Bishop of Bath, about the King's writ, and the taking by force and selling certain cattle of the Abbot. (*Coram Rege*, 38th Henry III, m. 8.—*Placitorum Abbrevatio*, p. 141, 38th Henry III.) The Bishop's agents went to the manors of Pilton, Dultinge, Melnes, Uplyme, and others. Lying in the wood adjoining Uplyme for the night, in the morning early they sallied out and took 163 oxen and 300 sheep. The cows they sold for £7. 5s.; the steers for 3s. and 2s.; and the sheep for 7d. The Bishop's agent, defending himself, claimed that the Bishop held the Liberty by charter from the King, and that the sheriff had no right of entry: that he, as bailiff of the Bishop, distrained the Abbot, who held the property of the Bishop, and owned forty knight's service towards making the King's son a knight.

The Abbot next came and claimed that he was seised of all the said services, as were his predecessors, and that all summonses were made to him direct.

Then came the Bishop and claimed the forty fees, and the right of distress over the said manors; asserting that his agent had acted reasonably.

The jury—among them being Elias de la Mare and Wm. le Bret—sat in the Court of N. de Trot, to whom the case was referred. The result was that the Abbot was to be defended against the Bishop, and the latter was ordered not to make distress on the Abbot. (38th Henry III.)

The full history of these curious proceedings belongs, per-

haps, rather to Glastonbury, but a few notes may be recorded. Notwithstanding the above order, and in contempt of the judgment, the Bishop attacked the Abbey and ejected the Abbot: for which act he was fined fifty marks: restitution being ordered, and proclamation made that any one might buy from or sell to the Abbot. (40th Henry III.) A little later, the Bishop being appointed Nuncio to Rome, there was a respite of the complaints between the disputants, and so the matter should have rested awhile; but the Bishop, using his opportunity, and again ignoring home proceedings, got the Abbot cited to Rome. (42nd Henry III.) For this he was ordered to appear before the King, and answer for his contempt; and further, to answer for breaking into the Abbey and carrying away the goods and the seal of the Abbot, and the seal of the community. (44th Henry III.) In the end the Abbot secured the victory.

From some later proceedings the position is made more clear. In 1274 (*Hundred Rolls*, vol. ii. p. 135; *Quo Warranto*, 2nd Edward I, p. 700) the Abbot was summoned to show by what warrant he subtracted from the King all suit from Mells due at the tourn of the sheriff, and also 2s. annual rent. The King's agent claimed that King Henry III, the father of the then King, was seised of the said rents and suits. The Abbot, on the contrary, claimed that his predecessors, during all the time of King Henry, were so seised, and that the King never owned them. The jury, however, found that the King did own them, and should recover them; and that they had been withheld because Ralph de Sulny, lord of the Hundred of Kilmersdon, had remitted them to the Abbot, the predecessor of the then Abbot. The sheriff was therefore ordered to see that the men of Mells came duly to his "tourn."

No charter is found recorded to support the claim made by the Bishop. It is rather clear that the Abbot, the freeholder in possession, had received his freedom or separation from the Hundred of Kilmersdon, by gift from the lord; and from this time the Liberty may be judged to have commenced.

In 1330 (*Charter Rolls*, 4th Edward III, pt. 1, No. 88), the Abbot had a grant of free-warren in Doultling and Mells, and twenty-two other manors in Somerset.

By the kind consideration and invitation of the Rev. GEO. HORNER, some of the Members now entered the Hall, to partake of the luncheon there ready, whilst others, waiting awhile for room, surveyed the interior of the house.

The luncheon over, the PRESIDENT, and Mr. W. E. SURTEES, in a few words, thanked Mr. Horner for his hospitality.

Mr. HORNER thanked the President, and expressed the pleasure he had in receiving the Society.

The carriages being ready, the party started for the Vobster Cross road, where it was intended that Mr. McMurtrie should again discourse on the unique geology of the spot. The continued drizzle, however, made that impossible, and the cortege, proceeding by Babington House, and over the railway bridge, ascended by the right to the park gates, for Ammerdown Column. Driving slowly by this fine structure, and through the park, the next halt was at

Ammerdown House,

by permission of Lord Hylton thrown open to the Society. Some alterations were in progress, but the various objects and paintings in the several rooms were duly inspected. Two fine columns of Somerset Draycot marble in the new billiard room were much admired.

A short drive, still damp, brought the party to

Hilmersdon Church.

Mr. FERREY said this was a very interesting church. The nave and chancel Norman, with, however, numerous Perpendicular additions; while the north aisle, north chancel chapel, and tower were of the richly developed Perpendicular. The chancel had lately been restored, a new east window put in place of a very debased, un-ecclesiastical one; the east wall re-built above the springing line of window arch; and a new oak

panelled roof constructed, with rich trusses resting upon the old stone cornice and sculptured angel corbels. On the south side an organ chamber had been added, and the Perpendicular window disturbed thereby re-fixed in the east wall of the chamber, and the Norman corbel-table re-set in the south wall of the same. Mr. Ferrey drew attention to the manner in which the sculptured angel corbels to the principal roof timbers next the end walls of the nave and chancel were placed at a different angle from the rest, so as to be better seen. In the north wall of the chancel the remains of the inner arch and jamb of a Norman window were recently found, also fragments of Norman sculpture of a Greek character, not very uncommon in work of that date, of which the capitals to the nave arcade, the Priory church, Christchurch, Hants, are a good example. In the south wall, an early English piscina was discovered; the only work of that date in the building. The chancel arch had a panelled respond and arch, and the respond next the nave appeared to have been prepared to receive a screen, but there was no evidence to show this was ever actually erected. Iron grilles to the chancel have just been added. There are the mutilated remains of canopied niches on each side of the chancel arch. The nave and chancel were on the same level, which seemed to be as originally. The north chancel aisle had a beautiful east window, of the best period of Perpendicular. The fine stone screen, of about the same date, in the arch between the north nave aisle and the chancel chapel, was clearly not *in situ*, and there is a tradition that it was removed from St. Andrew's church, Holborn. In the south wall of the nave, near the pulpit, traces of another Norman window had been lately found; and near the porch was a small Norman window, now blocked up. The old corbel-table, with fish-scale frieze, still remains in the east wall of chancel, and on south side of the church, up to the tower; even running through part of the arch of a 16th century square-headed window to the nave. The nave walls have

been heightened in the Perpendicular period, and a lead-covered roof of flatter pitch added (now flat-ceiled with lath and plaster). The north aisle roof was of very rich character, divided into square panels, with carved bosses; and part of it had been gilded and coloured, which, however, Mr. Ferrey thought was not mediæval work. The south nave doorway was of very early Norman character, with a good "late" door and lock, and led into what was now the vestry, but was formerly the porch. There is a curious monument in the east wall of the vestry, dated 1596, which was formerly against the south wall of the nave. The marked distinction between the Norman and Perpendicular masonry in the nave, and how very conservative the 15th century builders had been of the Norman remains should be noticed. The shaped and moulded bench-ends, and seats to the body of the church, were of very massive character, unlike the typical Somersetshire richly panelled bench-end, and were probably of early Perpendicular date. The font was a rich and good specimen of 15th century work. The west wall of the nave, three feet thick, was built independently of the tower, which gave a very bold effect to the panelled arch. The ground storey of the tower appeared to have formerly been vaulted, as the stone springers remain.

Commenting on the exterior of the tower, Mr. Ferrey remarked on its fine character and proportions, and how similar the plan of the buttresses was to Leigh-on-Mendip. He drew attention to the beautiful masonry to the south side, part of which was of Hatchett Hill stone, quarried near Ammerdown Park. It apparently had small holes in it, but really was very durable.

After inspecting the church from without,

The HON. SECRETARY asked for any suggestions as to the derivations of the names Kilmersdon and Mells. Not pretending to any authority himself, Mr. Davidson had suggested to him that Mells was derived from the Saxon—*mael*, a crucifix. There had been probably there three *maels*. Thus the Chris-

tian Malford of to-day—written in old documents Christen-mafford—would be Christ-on-mael-ford.

Some conversation ensued, but without producing further remarks for record.

The Advowson.

The advowson originally in *Domesday* in the hands of the Crown, was apparently given to William de Erlegh, who gave it, with other churches, to the Priory of Buckland, and it remained attached to the Priory until the dissolution.

Amongst a collection of Royal letters preserved, there is one (No. 1948) which records a curious episode. It is dated 5th September, 1281, and addressed to the King, from Bishop Robert Burnell, who states that one Robert, a clerk, had been taken before the Somerset justices, charged with suspicion of breaking into the chapel of Kynemersdon and carrying away the property therein; but as no one appeared to confirm the charge, he had been restored to his "good name." The Bishop consequently prayed the King to restore also the goods of the said Robert, which had been seized pending the trial.

In 1328, the Prioress of Buckland complained concerning the celebration of service in the chapel of Lokyngton, where it was assigned that service should be celebrated by the Vicar of Kilmersdon, three times a week, viz., Sunday, Wednesday, and Friday; for which he should be paid a quarter of wheat annually from the manor of Lokyngton. (*Harl. MSS.*, 6,964, fol. 132.)

At the dissolution of Buckland Priory, the living passed to the Crown. In 1536 (*Augmentation Office*, Henry VIII, *Miscell. Books*, vol. xcvi, fol. 94), Alexander Popham had been appointed seneschal or steward of Buckland for his life. In the same year he accounted for the rental of what is called the manor and rectory of Kilmersdon, formerly parcel of the Priory of Minchin Buckland, as £18. 15s., including the sheaf tithes of fourteen acres in Stratton; the same being leased to Alexander Popham and John and Robert, his sons, for eighty

years, or their lives, immediately after the death of John Bruche, or his forfeiture.

John Bruche had surrendered his lease to the Prioress, 29th Henry VIII. (*Ministers' Accts.*, 30th–31st Henry VIII, m. 21; and 38th Henry VIII; 1st Edward VI, No. 58, skin 13.) By patent, 1559 (2nd Elizabeth, pt. 10, m. 11–13), the property called all our lordship and manor of Kilmersdon, with all its belongings, now and formerly in the tenure or occupation of Alex. Popham, and formerly parcel of the possessions of the Monastery of Buckland, with Yardley, parcel of the Monastery of Witham, was granted to William Doddington, in free socage. (*Ministers' Accts.*, 1st–2nd Eliz., No. 30, m. 5). At various times, two acres in Kilmersdon had been given for the sustaining a light in the church, and these, with 6s. 8d. issuing from the manor, given for the same purpose, were granted to Queen Henrietta Maria, in the time of Charles I. (*Fee Farm Rents*, Nos. 28, 353–4–5.)

Tithe Dispute.

A dispute arose here too, regarding the payment of tithes; the question arising, as before, from the sowing down to grass of arable land, on which tithe, as arable, was more productive and payable in kind. The depositions were taken at the "Church House," in Kilmersdon, 1703–4. (4th Anne, Michaelmas, No. 5; 5th Anne, Michaelmas, No. 15.)

There was formerly in almost every parish a Church House. It was not usually a dwelling house, but consisted of a large room or hall, in which the village feasts were held; there was also a kitchen for cooking, a brewing plant for the church ales, and in some cases a public oven for general use. No example seems to have lasted to our time.

The first witness called in the case, then aged eighty-seven, deposed that he had rented the parsonage lands from 1652 to 1658, and again from 1672 to 1675, and money was always paid for tithe of hay.

For Worrall ground 2s. were paid ; others paid 1s. ; others 10d., 6d., 4d., or 2d. This tithe was never paid in kind. The custom had been discontinued or neglected for thirty years, ever since the parsonage fell to Mr. Gabriel Goodman, because he declared he would make the tenants pay in kind. Within the recollection of this witness, several arable fields had been enclosed, and sown with French grass and other seeds. He held his lands by lease of two lives, or ninety-nine years, and claimed and insisted on a customary payment of 5d. per annum, in lieu of tithe hay. The tithe had been tendered as usual, "at a toomb stone in the church yard, the usual place of payment;" and he had there tendered 6s., for a year's customary payment for Orange's farm. Another witness deposed to the same effect, stating that he held his lands for lives, and "his wife's widowhood."

A knowledge of these disputes enables us to understand the opposition against tithes, as also the pamphlet literature, which helped so much towards the change in system to that now existing.

The Manor.

Kilmersdon, as a manor, is not mentioned in *Domesday*. Mr. Eyton makes some speculative suggestions for this omission. Probably in earlier days it belonged to Queen Edith, at whose death, in 1074, it passed to the Crown. The church is mentioned as that of Chinemersdon, as being in the hands of the King, as would be also the manor and Hundred.

Some time during his reign, 1100—1135, Henry I granted the manor to de Sulleney. Again in 1205 (*Close Rolls*, 6th John), the King gave all his land in Kinemersdon to Hascullus de Suli; but in the next year, 1206 (7th John, m. 1), Hascullus was disseised of, forfeited, his lands in Kinemersdon, "for withdrawing from our service in Normandy," The document was witnessed at Oteford, 27th March. The next day, 28th March, he received a solatium of thirty marks, this document also being witnessed at Otteford. It was found, by enquiry,

in 19th Edward I, that John de Sully, in the time of King John, gave to his sister Emma, and her husband, Alexander de Arsyk, two parts of the manor, and that the other third part descended to Hugo de Tywe, who gave it to Walter, his son (*Inq.*, 19th Edward I, No. 23). This must have been before 1215, as Walter de Tiwa's share then passed to Roger Alis (*Close Rolls*, 17th John, m. 15). Then in 1220, Ralph de Suleni recovered the lands of his father, Hasculfus (*Close Rolls*, 4th Henry III, m. 15), and on his death (28th Henry III, No. 25) they passed to Andrea (*Inq.*, 44th Henry III, No. 36), who died possessed of half a fee in Kynemersdon, value £6. 11s. 11d., and Geoffrey, his uncle, was declared his next heir. This Geoffrey seems to have claimed and taken the whole of the manor, as in 1261, Walter de Tywe sought replevin of the land in Kilmersdon, belonging to him and Emma, his wife. (*Close Rolls*, 45th Henry III, m. 10^d). In 1266, Geoffrey died seised of the manor, held *in capite*, by service of half a knight's fee, and worth £10 per annum. His heir was unknown, but it was stated that he had sisters. (*Inq.*, 50th Henry III, No. 31.) Henry de Montfort, "on account of the disturbance in the kingdom," seized the property, but it was ordered, in the same year (*Close Rolls*, 50th Henry III, m. 5), that Robert de Boyton, and Mary, his wife, should have seisin of the manor as being given them by Geoffrey de Soleny, deceased. Notwithstanding this apparent disappearance of the Sully holding, Hascullus de Sully was found in 1272 (*Testa de Neville*), as lord of the Hundred of Kilmersdon, held of the King, *in capite*, by the fourth part of a knight's fee, being originally the gift of King Henry I.

Tracing now the two-thirds, the first notice in order of time, after the *Testa de Neville*, 1272, already mentioned, is of special interest, as it not only introduces a new lord, but mentions the status or rights of the Honor of Gloucester, under which the Hundred was held. What an Honor was, exactly, not many could say, more than it was a large, superior holding;

consequently every notice of its power, privileges, or profits, should be carefully noted.

In 1283 (*Inq.*, 11th Edward I, No. 56), after enquiry, a jury found that the tenth man of Radstock, Babynton, Horsington, and Holecumbe belonged to the Hundred of Kilmersdon, and that the said tenth man of Holecumbe had been taken away from the Hundred by Richard, Earl of Gloucester, father of the then Earl, Gilbert, for the King's service; and that William de Albinaco was owner of the Hundred. In 1291 (*Inq.*, 19th Edward I, No. 23), when enquiry was made as to the separation of the manor in thirds, it was found that Philip de Albinaco held two-thirds of the King, in chief, and that he defended the other third, owned by Wm. de Boterewe. In 1294 (*Inq.*, 22nd Edward I, No. 38), Philip de Albinaco died, holding in fee the manor (*i.e.*, two-thirds), for half a knight's fee, and a rather full survey of the property was recorded. The court, with a garden and fruit, was stated to be worth 13s. 4d.; rents, payable at the quarter days, £6. 2s. 11½d.; larder perquisites, 15s. 7d.; capitage, 3s. 8d.; customary work, 36s. 6d.; a water mill, 6s. 8d.; 399 acres and a half of meadow and arable, worth 3d. per acre; 18 acres and a half of meadow, worth 10d. per acre; 24 acres of pasture, at 4d. per acre; and 140 acres of waste, worth 4s. There were also the pleas and perquisites of the Hundred Court, worth 6s. 8d., and no more. The value of the manor was £16. 12s. 6½d., from which the King received 31s. annually. Elias de Albinaco, a brother, aged thirty years and more, was declared next heir. Elias died in 1305 (*Inq.*, 33rd Edward I, No. 81), the holding being as before, by service of half a fee for the manor, and a fourth part of a fee, which would be for the Hundred. The valuation was now even more minute than before. The capital messuage of the manor was valued at 5s. per annum; and the garden, with fruit and herbage, 5s. per annum. Fifty-one acres of arable, at 6d. an acre; fifteen acres, arable, at 5d.; a hundred and thirty-six acres, arable,

4d.; a hundred and seven, arable, 3d.; thirteen acres, arable, at 2d.; and ten acres, arable, 1½d. Of the meadow, fourteen acres were worth 1s. 6d. per acre; three, 1s.; eight, 9d.; half an acre, 4d.; and two acres and a half, 4d. Sixteen acres of pasture were put at 3d. per acre; half an acre, 3d.; and pasture, *in vicis*, 4d. per annum. There were forty acres of wood and heath, worth 3s. 4d. per annum, and an acre worth 3d. The profit from the coal—the earliest mention of the mineral being worked—was valued at 2s. 4d. per annum. Of the free tenants, one held the hamlet of Ashwyte, paying therefor 1d. Another held the hamlet of Mirifelde, at a similar rent, and another the hamlet of Holcombe, at a rent of 12d.; all payable on the Feast of St. Martin. Of the others, a virgate of land was held at 16d., payable at Michaelmas, and a free tenement, worth 1½d. Twenty-eight acres were held for 13s. 4d.; six acres, at 2s.; other twenty acres, for 12d.; whilst another four acres and a half were held for a half-penny. Of the life-holds, one held fourteen acres, at 2s.; another twenty-four acres, at 8s. A mill was let at 2s.; a fulling mill at 5s.; another fulling mill and six acres at 9s.; another mill brought 33s. 4d.; other holdings, including the life of the wife, a messuage and fifteen acres for one mark; another exactly similar holding produced but 8s.; a messuage and thirty acres, 15s.; a messuage and twelve acres, 8s.; the same, with seven acres, 4s. Then there were the customary tenants. One held a messuage and a virgate of land, at 5s.; and paid into the lord's larder 15d., and a fowl, worth 1d.; at the Nativity of St. John Baptist he paid 1d. as Peter's pence, and at Easter fifteen eggs, value a half-penny. He also reaped in the meadows of the lord, at 3d. per day; sowed corn for three half-days, each work being valued at 1½d., and mowed in the autumn three acres of corn, valued at 3d. per acre, and carried the corn of the lord for three days. John Atte Mill held a messuage and half a virgate of land, paying 3s. 4d. per ann.; and at the larder of the lord, on the Feast of St. Martin, 10d.,

and a cock, price 1d.; at St. John Baptist, 1d. for Peter's pence; and at Easter ten eggs, price 4d. He sowed, reaped, mowed, and carried, as the other. Another held a messuage and ten acres, paying 2s. 6d.; and to the larder, at Martin's, 7½d., and a fowl, price 1d.; and at Easter, seven eggs and a half, price 4d. He also paid the Peter's penny, and sowed, reaped, and mowed, as before, but carried for a day and a half only. Alice Watts held a messuage and two acres of land, paying a money rent, and to the larder, at Martin's, 5d., and a fowl, 1d.; the usual Peter's penny, and at Easter, seven eggs and a half; and at Hokeday, two capons, value 3d. She sowed, reaped, and mowed, as before, but carried for one day only. Another held by the same service, except that she did not render the capons. Then there is given a list of the cottars, with their harvest services; and others paying capitage—freedom money—of 15d. per annum.

The value of the manor was found to be £21. 5s. 9d., and Ralph, aged seven weeks, son of Elias and Johanna his wife, was declared the heir. (*Inq.*, 14th Edward II, No. 81.) In 1346 (*Inq.*, 20th Edward III, 2nd Nos., 29), enquiry was made as to whether there would be any damage to the King, if Ralph Daubyne and his wife Katherine, were enfeoffed of the manor; when it was declared there would be no damage, and Ralph would have possession. Ralph died temp. Rich. II, but the enquiry on his death is not found. He left a son, Giles, who died in 1386 (10th Richard II, No. 12), and after enquiry as to whether he had been duly married, and with the proper license of the King, of whom he held his lands, his widow, Elizabeth, was allowed her dower. His son, Giles Daubeny, Knt., died in 1403 (*Inq.*, 4th Henry IV, No. 23), a part of his rental being a rose, coming from William Nywebury, for a messuage and lands, held for his life. His widow, Margaret, died 1420. (*Inq. P.M.*, 8th Henry V, No. 83.) They left sons, John and Giles; and John, aged nine years, was declared the heir. John died about 1410, as by enquiry

made in that year (11th Henry IV, No. 42), Giles, under age, and in the custody of the King, was declared the heir, as being the brother of John, who was the son of Giles, who was the son of Giles (who charged his estate with an annuity), who was the son of Ralph, who died temp. Richard II.

From this time the Daubeney holding disappears from the *Inquisitions*. Documentary evidence is wanting at present, but the property seems to have passed to the heirs of Elizabeth Daubeney, viz., her son, William, Lord Botreaux, in whom was vested the other third part.

This third part of the manor, which descended to Hugo de Tywe (1261), he gave to his son Walter, who married Emma, daughter of Thomas Whelton. Walter Tywy committed some "trespass" against the King, and this land, being forfeited, was granted to Walter de Mareschall. In 1268 (*Close Rolls*, 52nd Henry III, m. 4), Mareschall was ordered to restore it to Emma, now a widow. Emma married a second husband, and joined him in selling this third part to Robert Burnell, Bishop of Bath and Wells, who exchanged with William de Botreaux for lands in Salop.

In 1285 (*Charter Rolls*, 13th Edward I, pt. 1, m. 2, No. 6), William de Botreaux had a grant of free warren on his lands of Babington and Kinemersdon, provided, under penalty of forfeiture of the charter, there was no trespass within the King's forest, or that none took refuge there. At the same time he was granted a fair at Babington every year, for three days—the vigil, the day, and the morrow of St. Margaret the Virgin. William died in 1302. (30th Edward I, No. 35.)

In 1381, William Botreaux, Knt., was in trouble, a writ being issued against him in three suits: one for a debt of £100; another for £5. 15s. 6d.; and another for £205. The sheriff, William Latymer, was ordered to take his body, and in our prison put him, until the debts were satisfied. An enquiry took place as to the extent of his property (5th Richard II, No. 71), when it was found that he held the manor of Kyne-

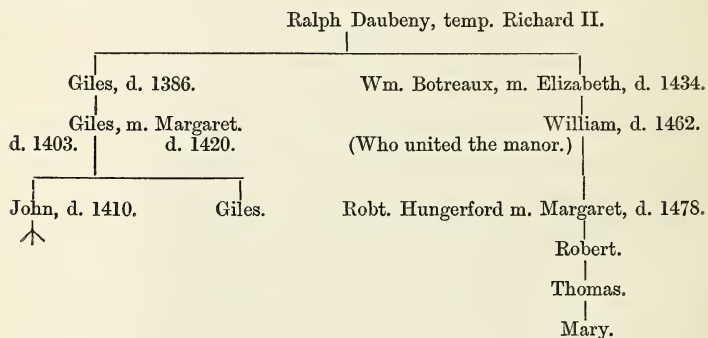
mersdon, with the Hundred of the same, worth £10; also at Walton, a capital messuage, with a garden and dovecote, and two carucates of land, worth five marks per annum. William, sen., Knt., died in 1391, and the inquest (15th Richard II, No. 6) showed that he held one-third of the manor of Kilmersdon, and that Ralph Daubeney had given him an annual rent of £40. And he owned also the fair at Babington, annually held on the vigil of St. Margaret, worth 2s. Elizabeth, his widow (daughter of Ralph Daubeney), died in 1434, possessed of this third part of Kilmersdon, and the third part of the manor of Babington, in dower, held of the Honor of Gloucester (12th Henry VI, No. 24, 8), and William Botreaux, Knt., their son, was declared the heir. It was in the time of this William that the manor was again united.

The reversion of Babington was with Joan, widow of Thomas Broke, Knt, as by deed of William Botreaux (45th Edward III), who gave the manor of Babington to William Cheddre, and, after him, to Robt. Cheddre and Joan, his wife. (12th Henry VI, No. 24, 7).

William, now Lord Botreaux, died in 1462, possessed of the Hundred, and of the manors of Kilmersdon, Walton, and Lockyington, and St. Margaret's fair at Babyngton, the advowson of Babyngton and the Chantry of Aller. (2nd Edward IV, No. 15.) Margaret, his daughter and heir, had married, and was now the widow of Robert Hungerford, Knt., and so carried the united manor to that family. Margaret, Lady Hungerford and Botreaux, died in 1478, holding the manors of Kilmersdon, Babington, and Walton, and Mary Hungerford, aged eleven, was found to be next heir, as being the daughter of Thomas, who was the son of Robert (late Lord Hungerford), who was the son of the said Margaret. (18th Edward IV, No. 40.)

In the inquisition, on the death of Giles, Lord Daubeney, 1507 (24th Henry VII, No. 47; 2nd Henry VIII, No. 22), there is no mention of Kilmersdon, but the annuity of £40,

arising from South Petherton manor, is noticed, as being the gift of Giles Daubeney to William, son of William de Botreaux and Elizabeth, his wife, daughter of Ralph Daubeney; and that the said charge by descent belonged to Mary, Lady Hungerford, as heir of William, son of William and Elizabeth, viz., as daughter of Thomas Hungerford, Knt., son of Robert, son of Margaret, daughter of William, son of William and Elizabeth.



Mary married Edward Hastings, second Baron Hastings, who died in 1507, leaving a son, George, created Earl of Huntingdon, who died in 1544. He was succeeded by Francis, who died in 1561, leaving a son, Henry, who succeeded, and died without issue, in 1595.

In 1589 (*Feet Fines*, 31st, 32nd Elizabeth, Michaelmas), Henry sold to John Spencer, alderman of London. (*Pat. Rolls*, 31st Elizabeth, pt. 15, m. 3; *Alienations and Pardons*, vol. iv, p. 107; *Recovery Roll*, 31st Elizabeth, Michaelmas, m. 132, Index fol. 77.) Sir John Spencer, knighted when Lord Mayor, 1594, had but one child, a daughter, Elizabeth, who married Sir William Compton, second Baron Compton, created Earl of Northampton, and who died in 1631. (*Inq. P.M.*, 7th Car. I, pt. 2, No. 144.) He was succeeded by his son, Sir Spencer, who, joining the King's side, was killed in 1643, early in the Civil War. James, his son, succeeding, was also on the King's side; and, the war being over, was called to

account and compound in 1650. He was charged that, being during his father's life time a Member of the Parliament, he deserted it, and took up arms against it. In the schedule of his property he stated that he had the manors of Kilmersdon, Long Sutton, Henford, Yeovil, Pitney, and Werne: that all had been sequestered for eight years, there being a loss, besides woods and destruction of his houses, of £50,000 on his whole property, and his houses, £20,000; besides which he owed debts of £5,000, and divers years' interest. (*Royalist Compositions*, 2nd series, vol. xlv, fol. 3.) He died in 1681.

Under these circumstances the manor passed to Gabriel Goodman, who, on his death, left two daughters: Mary, who married William Hilliard, and died, without issue, in 1745, aged 77; and Sarah, who married James Twyford, and left two daughters, Ann and Sarah. (*Feet Fines*, Michaelmas, 32nd Car. II, No. 780.) Both Ann and Sarah died without issue; the latter in January, 1765, aged 86; and Ann in March the same year, aged 87. There were, and should be now, tablets in the church to their memory. There was, and should be now, also a tablet for Robert Twyford, who succeeded, and died lord of the manor in 1776, leaving an only daughter and heiress, who married, in 1778, Thomas Samuel Jolliffe (whose elder brother married Eleanor Hylton), and they had sons: Charles, killed at Waterloo; John, who died in 1854; the late Rev. Thomas Robert; and a daughter, Mary Ann: all of whom died unmarried.

There is an account of Kilmersdon manor in the Bodleian Library, Gough *MSS.*, vol. xi, pp. 3—5.

Customs of the Manor.

As relating to manorial rights, an inquiry was made at Kilmersdon, in 1690 (*Excheq. Dep.*, 2nd—3rd William and Mary, Hilary, No. 20), between James Twyford, Esq., and Sarah, his wife (*née* Goodman), against Francis Green, Arthur Fortescue, Henry Strode, Edward Strode, and others. The questions were:—What places are within the Leet? What

privileges have the lords usually held in fishing, fowling, hawking, and hunting, driving preys, and taking and detaining waifs and strays? How far does the uttermost boundary of such royalty extend? Is not the waste ground at Charlton Cross a part of the manor of Kilmersdon? Have any encroachments been made in any way, or by digging pits for coal?

It was deposed in reply, that the Earl of Northampton was lord, before Gabriel Goodman. That the lord of the manor had always driven prey from the common called Lypyat's Marsh, between Lypiat and Coleford, and from the down called Westdown, and from some part of the Forest of Mendip. The inhabitants of Ashwick owed suit and service to the Hundred Court, and the "drift" of the prey within the parish of Ashwick, belonging to the manor of Kilmersdon, upon the common of Mendip, was bounded from the pound of Ashwick, southward, to the "Vorse" way, and from thence to the top of Regbury, and so along upon the edge of the hill to Masberry Castle, then to Browne Close Corner, then to Gurney Slade, and so to Selway's Mill, along the water side to Nettlebridge. The boundary of the manor of Kilmersdon began at Kimmerinwell, then to Ammerdown, and so to Dover Castle, the west end of Mr. Bampfield's land, and then taking in Kingsdown, down by Mells Grove marl pit, and so to Sheepridge House, then back to a ground called Peake. The exact boundary to Leach Ham was not stated, but from there it was by Leach Lane to a Meare Stone, under Holcombe Hill, by the way side; then to a Meare Stone at Down Close Corner to Lypyat Gate, and about a furlong farther it turned west for about half a furlong, and then plain north to the "stooke" of Old Hill; so to the water, and along the water to Symons Corner; then to Chestles, then down to Whitewell Water, and up to the head of Stretch to the "Vorse," and along the "Vorse" to Norton Down Gate; then to Waterside Bridge, then by the water to Rodstocks, to Huish Corner, and so to Huish Gate, to Stopholds, and to Tram-

mell. The ground at Charlton Cross was reputed part of the manor of Kilmersdon. The usual way of driving the prey, and also for making perambulations, was for the bailiff of the Hundred, with some of the servants, to meet at Ashwick pound.

Another manorial case occurred in the same year (Hilary, No. 23), when Mr. Twyford endeavoured to get possession of a tenement, sold without his consent. At the Court held at the Talbot, in Mells, 16th January, 1691, he claimed that the property was forfeited, and should be presented as forfeited, having been sold without his license as lord. The "homage," however, refused to present it, saying that they believed a copyholder had a right to sell. Mr. Twyford threatened that if they refused to present it he would subpœna them into the Exchequer, and make them all appear in London; but they still refused, asserting that the custom of the manor was that the purchaser of a copyhold could surrender without leave of the lives thereon. Mr. Twyford got a deposition that a copyholder could not sell or let for more than a year and a day, without consent or license of the lord. He eventually offered to accept the surrender for a fine of five pounds.

It has been stated (*Harleian MSS.*, No. 980, fol. 171) that by the custom of the manor of Kilmersdon, a wife had a widow's estate; that is, a life interest during widowhood in her husband's copyhold of the manor. This was called Free Bench, and applied only to such as were spinsters before marriage; that is, a widow, marrying, could not claim it for her second husband's interest, and forfeited her first interest. If she proved incontinent during widowhood, she also lost her life interest: but in this last case she could recover it if she came into the next Court, riding astride on a ram, and acknowledged her error, by repeating a jingle, beginning:—

Here I am,
Riding upon a black ram,
Like a whore, as I am.

* * *
Therefore I pray you, Mr. Steward,
Let me have my land again.

The custom was used in other manors, and formed the subject of a ballad single sheet, entitled: "Crincum Crancum, Bincum Bancum; or the Custom of Riding the Black Ram." It is noticed, and commented on, in vol. viii of the *Spectator*. Notwithstanding a careful watch, no example of its performance can be quoted.

The Hundred.

The Hundred, by some means not here traced, became the property of the Crown. In the time of the Commonwealth, a Parliamentary survey (No. 7), was made, dated 4th May, 1652, and returned as:—

"A Survey of the Hundred of Kilversdon, with the Rights, members, and appurtenancies thereof, being p'cell of and within the Turne of Modburrough in the Countie of Som'sett, late p'cell of the possessions of Charles Stuart, late King of England, made and taken by us, whose names are hereunto subscribed, by virtue of a Commission granted to us by the Hon'ble the Trustees, appointed by Act of the Commons Asembled in p'liament, for sale of the Honn^{rs}, Mann^{rs}, and Lands heretofore belonging to the Late King, Queene, and Prince, vnder their hands and seales.

"The tything silver or certaine monye payeable by the seuerall tything men of the tythings mencioned within the Hundred of Kilversdon.

"At M'Mas.

"The sheriff turne Courts, Fynes, and Amercia- ments of Courts, and all other royalties, serviues, p'fitts, and perquisitts w'tsoever be- longing, we estimate to be worth, one year	s.	d.
with another 	18	0

"At Easter.

"The tything of Kilversdon	...	...	s.	d.
" " " Hennington	...	...	1	6
" " " Wrightington	...	...	1	6

" The tything of Lockington and Walton	...	1	0
" " „ Stratton	... ..	1	0
" " „ Buckland Dinham	... ..	1	0

[At Michaelmas the same sums were due.] ———

"The sheriff turne Courts are kept at a place called Bucklands downe, *alias* Modburrogh downe, within the months of Easter and Mich'as, according to the Custome and usage thereof.

"The tything men are to appeare at the said Courts, and to bring with them a certain number of able and fitt persons out of euerie tything to serve as Jurie men, which persons are called posts, and euerie of the said tything men and posts to bee amerced upon default, but if the Courts bee not kept, then the tything men are to paye esoyne monye two pence each tything man, and for euerie post one pennie.

"The said Courts doth take cognisance of all publick anusesances within the said Hundred, but the Courts have been much discontinued, and few fynes or amerciamts leuied for diuers yeares past; and the seuerall Leets and Law dayes and ye three weeks Court for the said Hundred and for diuers Mann^{rs} and Lo'pps within the said Hundred and tythings are holden in the right of seuerall Lords of the said Courts, Mann^{rs}, and Lo'pps, who receive all the royalties and perquisitts bolonging to their seuerall Lo'pps, wch is the reason wee put soe small a value upon ye said Hundred."

The half of a subsidy or tax of one-fifteenth and one-tenth, made in 1393 (16th Richard II), produced from—

	£	s.	d.
Kynemersdon, with Aschwyke	2	0	0
Hemington	2	0	0
Hardington	13	4	
Bokland Dynham	1	10	4
Babyngton	1	13	4
Lokington and Walton	1	3	4
Radstoke	8	0	
Stratton	13	4	

Holcombe	...	...	...	6	0
Writhlyngton	...	...	...	13	4
The Manor of Melles	...	...	...	2	3 4
„ „ „ Leigh	...	...	...	2	5 4½

A subsidy of one-tenth, made in 39th Elizabeth, produced from—

				£	s.	d.
Kilmersdon	...	paid by 19 persons	...	8	17	4
Holcombe	...	„ „ 4	„ ...	1	2	8
Radstock	...	„ „ 12	„ ...	4	2	8
Stratton	...	„ „ 8	„ ...	4	1	4
Babington	...	„ „ 5	„ ...	1	16	0
Mells Liberty	...	„ „ 35	„ ...	15	13	4
Leigh Liberty	...	„ „ 14	„ ...	6	14	8
Ashwick	...	...	...	5	14	8
Buckland	...	...	...	5	14	8
Wridlington	...	...	...	2	0	8
Hardington, paid by one only, Thomas						
Bampfylde	...	...	...	3	4	0

Proceeding now towards Charlton, the cortege passed by

Holcombe.

In 1733 (Michaelmas, 7th George II), a tithe dispute occurred here, somewhat similar to those already noted; the question now including many small tithes, and well demonstrating how vexatious the whole business must have been. The interrogatories on behalf of John Salmon, Esq., Samuel Paddle or Padwell (now Padfield, but pronounced, locally, Paddle), Thomas Dennen, and Lord Clinton, were:—Whether tithe of hay was paid in kind? Whether any and what was the tithe of milk of each cow or heifer; or for each horse or mare pastured, or kept in the said parish to carry coal or other carriage; or for the fruit or herbs of a garden, or for an orchard, or for eggs, or for a colt, or for offerings? What was the method of tithing calves or pigs?

The witnesses said that a modus of two pence per acre was paid on mown land, payable at Lammas. For tithe of milk, each cow, two pence; each heifer, three half-pence. A penny was due for the fruit or herbs of a garden, a penny for eggs, and two pence "a head" for offerings; all at Easter. The custom for tithe of calves was to give one out of seven or ten; if there were more than ten, then six pence each. If a calf were killed or sold to a butcher, six pence were paid, or the left shoulder given: for a calf weaned, a half-penny. From seven or ten pigs also one was given. The tithe calf must be kept until five weeks old; the tithe pig, until three weeks old; then the parson or his lessee was to fetch the same. For each horse or mare depastured or kept to carry coal or for other carriage, six pence. One witness deposed that one rector had made him pay a shilling for each horse, but he never knew in any other case more than six pence paid. He paid it sometimes at Michaelmas, sometimes before; sometimes before it was due, as the parson came to demand it. Agistments paid twenty pence in the pound. For an orchard, four pence. About twenty years before, the two orchards on Moore's farm were enclosed and planted, but their value the witness could not determine, "for that in some years they bear pretty many apples, and in others but few." The orchard in Pitman's was planted about thirty-five years before, on very poor somerleaze or pasture ground; the profit, one year with another, had not been worth five shillings a year. The tithe of the land called Pitinhays, part of Holcombe Farm, always paid to the impropiator of Kilmersdon.

A close called Ire Pits, about six acres, was mentioned; at the time being fed by rother cattle.

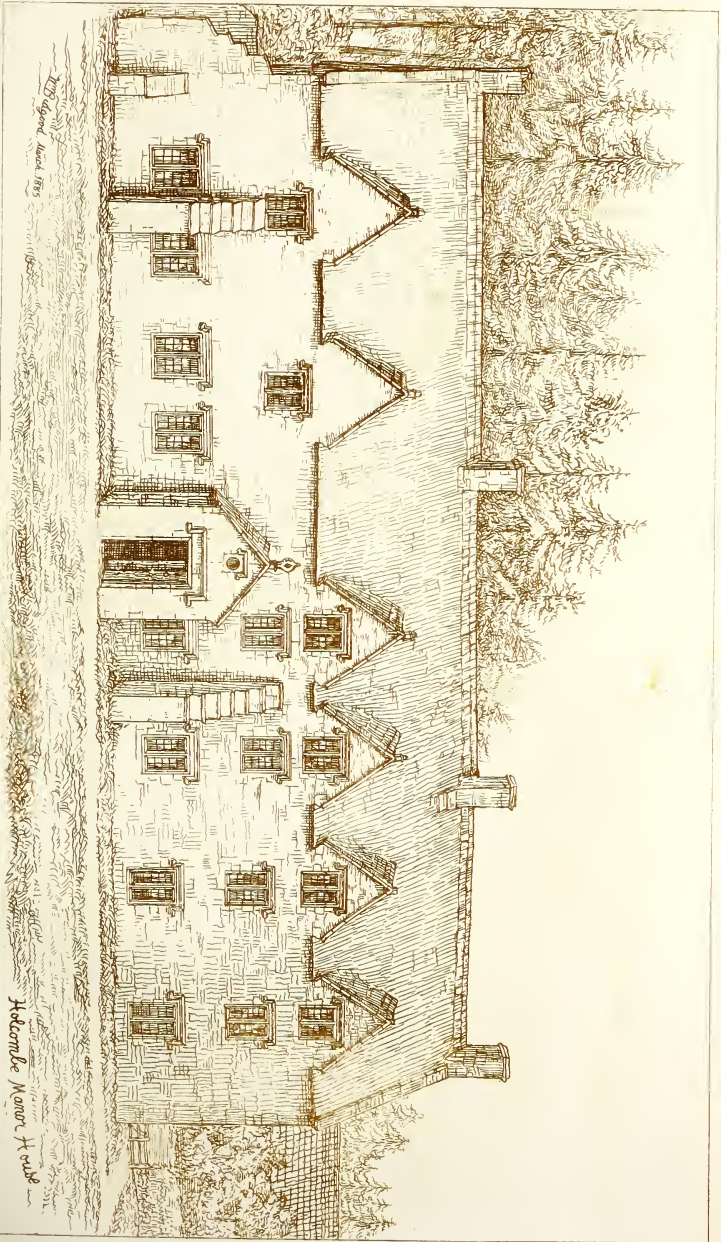
There are remains here of early iron works, the slag found being very imperfectly smelted; one pit of such refuse is in the south-east corner of the field south of the church, another near the Manor House.

The Manor House, although of no architectural pretension,
New Series, Vol. X., 1884, Part I.

was curious in plan, no two rooms being on the same level. It was destroyed in 1880. Thus the parish has lost its only bit of local colour. The plate of the front, here given, is from a photograph: the back was more gabled and more picturesque, but a high wall having been built rather close to it, it could not be got at.

Next was Pitcot—the Picota of *Domesday*, but now part of
Stratton on the Gosse.

Stratton in *Domesday* was owned by the Bishop of Coutance. Next after him the manor is found held by Thomas de Sancto Vigore, who received in 1267 a grant of a market each week, for one day—on Wednesday—at his manor of Stratton, and a fair in the same, annually, for three days, viz., the vigil, the day, and the morrow of the Nativity of the Virgin (Sept. 8th). (*Charter Rolls*, 51st Henry III, m. 5.) This charter was confirmed in 1282; the market day being changed to Tuesday, the fair remaining the same. (*Charter Rolls*, 10th Edward I, pt. 1, No. 14.) In 1270 (*Close Rolls*, 54th Henry III, m. 8), the same Thomas paid £3. 6s. 8d., and was granted the privilege or liberty of gallows in his manor of Stratton. Thomas de Sancto Vigore died in 1294 (*Inq.*, 23rd Edward I, No. 12), when he was found to have held the manor by service of a knight's fee, due to the Earl of Lincoln; and his first-born son, aged 26, was declared his heir. The church is dedicated to this name. The son, however, did not succeed, and the manor is next found held by Thomas de Gurnay; and by some means—perhaps a minority—was temporarily in the hands of the King, who, in 1332, “for the good and laudable services which our beloved and faithful Thomas de Bradeston has done as well to the King, our father, as to ourselves multiplied, and who still ceases not his prodigal labours (*sumptuosus laboribus*),” granted it to the said Thomas, the same being then held by Walter de Panely and Matilda, his wife, for their lives, *de hereditate* Thomas de Gurnay. (*Pat. Rolls*, 7th Edward III, pt. 2, m. 27.) The inquisition on the death of Thomas de



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Helenbe Mavor, H. and S. Co.

Gurnay is not found, but the property passed to Mathew de Gurney, and he, after inquiry, made in 1379 (*Inq.*, 3rd Ric. II, No. 110), as to whether there would be any damage to the King, conveyed the manor of Stratton-upfosse to William de Beauchamp de Warrewyke, the same being held of the heirs of Henry Fitz-Roger, by military service.

The times now are very troubled, during the War of the Roses, and the descent is very curious.

In 1402, Matthew Gurney paid for a fee in Stratton, towards the marriage of Blanche, the daughter of King Henry IV. The manor then passed again to the Crown,—the same King Richard,—and was granted by him to John Tiptot, Knt., for his life. By the inquisition on the death of Tiptot, in 1443, the manor of Stratton sup le Vosse was found so held by him; declared now, however, as by grant from King Henry VI, who held it as heir of King Henry IV. (*Inq.*, 21st Henry VI, No. 45.) On the death of Tiptot, and its consequent reversion to the Crown, it was granted, in 1448, to Edmund Beaufort, Duke of Somerset, who was slain at the battle of St. Albans, in 1455. His inquisition (33rd Hen. VI, No. 38) declared it as granted to him by patent, 31st March, 26th Henry VI (1448); the same having been granted by Richard II to John Tiptot, Knt., for life, with reversion to the Crown. Edmund, Duke of Somerset, was succeeded by his son Henry, who was also at St. Albans, and not losing his life, lost his property.

John de Beauford, Earl of Somerset, after being created Marquis of Dorset and Somerset, in 1397,—the second English Marquis; the first being made in 1385,—was deprived of the title in 1402. A recommendation being sent to the King to restore him, the King agreed; but, as told below, as the title of Marquis was strange in the land, the Earl declined it with thanks. The feminine was Marquisses. (*Parlt. Rolls*, 4th Henry IV.)

“Les Communes, prierent au Roi, q le Conte purroit estre

restorez a ses noun et Honour de Marquys : de quel prier le Roi et les Seignrs enmercierent les ditz Communes. Et sur ceo le dit Cont, engenuant molt humblement pria au Roy, q come le noun de Marquys feust estrange en cest Roialme, q'il ne luy vorroit ascunement doner cel noun de Marquys, qar jamais par congie du Roi il ne vorroit porter n' accepter sur luy nul tiel noun en ascun manere. Mais nientmeins mesme il molt cordialment remercia les Seignrs et les Communes de lour bones coers et volente celle partie."

Henry VI had to give way for Edward IV, who by Act of his first year (1461) declared that, "forasmoche as King Henry VI, ayenst all honoure and trouth, dissimilyng with Richard, Duke of York, taking his viage" towards the north, to repress an "unleefull and inordynat" commotion, procured the murder of the said Duke of York, and returning, intending the destruction of the south parts, the said King Henry VI, "actour, factour, and provoker of the said commocion, assenting of covyn with Henry, Duke of Somerset, was met in battaill in a feld beside the toune of Seint Albones. Forasmoche therefore as Henry, Duke of Somerset, purposyng, ymaginyng, and compassyng of extreme and insaciate malice to destroy the said Duke of York, he shall be declared and adjudged attainted, and all his lordships forfeited to the King." Stratton consequently again passed to the Crown.

In 1470, Edward IV, in turn, gave way to Henry VI, who was restored, to disappear in 1471, when Edward IV was restored.

Stratton remained Crown property, as part of the Duchy of Cornwall, until 1482, when it was exchanged for other lands.

An Act of Parliament of that year, 22nd Edward IV, sets out that, "whereas Edward, Prince of Wales, Duke of Cornwayle, etc., is seised in his demeane, as parcell of the Duchie of Cornwaile, of—with other manors in Somerset—Stratton upon the Fosse ; and whereas William, Eorle of Huntynghdon, son of

William Herbert, Knt., late Eorle of Pembroke, is seised in fee by yeft of the King of certain properties (named) in South Wales, by west of the Black Mountains, forfeited by Jasper, Duke of Bedford; and whereas certain agreements between the Prince and the said Eorle, for an exchange of these lands; and for the satisfaction of grete and notable sommes of money diewe by the said Erle unto the seid Prynce, may not be lawfully putte in perfite execution but by auctorite of Parlement: be it enacted that the exchange shall be made, the said property severed from the Duchy, and that the Earl of Huntingdon be discharged of all debts due to the Prince." The manor passed accordingly to the Earl of Huntingdon.

Edward IV reigned until 1483, being then succeeded, from April to June, by Edward V, when Richard III became King. Richard, ignoring all the arrangements about Stratton, took the manor as his own, and by patent, 1484 (2nd Richard III, pt. 2, m. 22, 3), it was granted to the Duke of Norfolk. Richard in turn suffering defeat at the final battle of Bosworth Field, was succeeded by Henry VII, in 1485, when these disputes ceased. Henry's accession was marked in the first year of his reign by an Act called the Act of Resumption. This declared that all "yestes and grauntes by auctorite" of Parliament or otherwise, made by Edward IV, late King of England, or by Edward, his son, late called King Edward V, should be annulled. A special clause, however, decreed that this assumption should not extend in any way to the act of 22nd Edward IV, relating to the Stratton exchange of lands, but that this should remain good and effectual for the purposes declared, any "Act or Actes made or to be made in this present Parliament notwithstanding." The grant to the Duke of Norfolk, made by Richard, being thus ignored, Stratton passed again to the Earl of Huntingdon. But notwithstanding the above "notwithstanding," in 11th Henry VII, 1495, another Act was passed, setting out that, in 22nd Edward IV, the Prince being then seised of the manor of Stratton, exchanged it with

the Earl of Huntingdon, etc., etc., but, “forasmoehe” as the noble Lord Jasper, Duke of Bedford is lawfully restored and seised of all the lordships in South Wales so exchanged; “so the moost noble Prynce Arthur, the King’s furst-begotten son, Prince of Wales, Duke of Cornwaill, etc., etc., hath neither the said lordships in Wales, nor yet the said manors in the County of Somerset; which is contrary to all reason and conscience. Be it therefore ordained, etc., that the aforesaid Actes of Parliament be voide and of noo force nor effecte, and that the Prince of Wales have all the said manours in Somerset in like maner as former Princes of Wales, and that they be re-annexed to the Duchy of Cornwall, as if the said Acts had never been made.” Charming indeed.

The Duchy retaining the property, now granted leases, either for years or for lives. In 1530, 22nd Henry VIII, Stratton was leased to John Hyde, for twenty-one years, with the mines of coal, declared as having been formerly in the tenure of John Welby and others. In 1545, by patent (37th Henry VIII, pt. 10, m. 15, 23), with all the rights formerly possessed by William, Earl of Huntingdon,—with the advowson, and two mines of coal,—then and formerly in the tenure of John Horner and William James, it was granted to Robert Long for lives.

In an *Enrolment Book of Crown Leases* of lands escheated or obtained by attainder, kept by a statute of 1541 (33rd Henry VIII, c. 39), Stratton is entered as leased to John Hyde, whose interest passed to John Horner, with the coal mines in Welton and Midsomer Norton, formerly the possessions of the Earl of Huntingdon. (*Augmentation Office: Miscellaneous Books*, vol. 230, fol. 92^d).

After the troubles of the Civil War, as being part of the royal property, the manor was sold. When surveyed, in 1651, “Stratton upon the Fosse, or Stratton upon the Fosse Way, or by what other name it may be known,” was found worth, per annum :

	£	s.	d.
From copyhold rents, and rents at the will of the lord	22	11	1½
The coal pits, coal mines, and drift coal lying upon the common, commonly called the Barrow	2	0	0
Chattels of felons, outlaws, and other rights and perquisites of Court		13	4
The timber upon the Holmes	7	10	0
<hr/>			
The improved rent, above this, on the ex- piration of the several copyholds and widows' estates	197	18	7
<hr/>			

Stratton Farm, which included twenty closes, the names being given, was valued at £8. 8s. 4½d.: the improved value being estimated as £46. 7s. 7½d. The premises had been granted by the King, when Prince, to William Long, for ninety years, determinable on the death of Lislebone Long, and William Long, and Mary Long, at the above yearly rent. The survey being made, the manor was sold to Lislebone Long, of Lincoln's Inn, Esq., and, at his desire, the conveyance was made out or passed to Robert Gardner and James Stedman, at fourteen years' purchase; Stratton Farm, and the other leaseholds and copyholds, at from seven to three years' purchase, with the timber at £7. 10s. The whole amount was £1,502. 9s. 9d. This sum, deducting £87. 12s. 11d. for fees, and £12. 10s. 5d.—being eight pence in the pound—for the Trears (Triers), was paid, one-fourth down, and another fourth by bills, payable in eight weeks; the other half being paid in the same manner six months after the first payment. Security for completion was given to the Triers, by a lease for ninety-nine years.

There is extant another survey, made in 1653, with the presentment of the copyholders in answer to sixteen articles propounded to them. (*Hist. MSS.*, 7th Rept., p. 688^a). At

the Restoration, in 1660, Stratton was again annexed to the Duchy.

Customs of the Manor.

There is a Court Baron and Court Leet held at the usual times, at Michaelmas and Lady Day, at the will of the lord.

The copyholders are to perform their suit and service to the lord, at the Court, upon pain of amerciaments, to be imposed at the steward's pleasure. The copyholders hold of the lord of the manor by fines arbitrary, as they can agree with the lord or his steward. There is a heriot due unto the lord of the manor upon the death, forfeiture, or surrender of every tenant in possession.

The widows of such tenants as die in possession do hold the several tenements their husbands were seised of at their death, and do forfeit by marriage or waste.

The tenants cannot let to farm their tenements above one year and a day, without license.

The fines and heriots payable by the tenants, for their several estates, are included and comprehended within the yearly value of their respective holds.

An action, relating to the mining and manorial rights, was tried in 1678 (*Excheq. Dep.* 30th Charles II, Michaelmas, No. 11), the question being the right of the lord (the relator, Mr. Long) to enter a copyhold, and dig thereon, without first getting leave of the tenant. The points put forward were:—Whether coal had been dug? Whether certain closes were parcel of the Forest of Mendip? How far doth the forest extend where coal pits are or have been, and what has been the common expression of people who come for coal there? Do not they always call the same Mendip coal, and say that they are going to Mendip for coal? What is the custom and usage of granting estates in the coal mines, and particularly in Plummer's Close, and Perthill? What is the custom of grant of estates by copy of Court Roll, of any coal mine on any waste or enclosed ground, though the (surface) ground and

herbage were before granted to others? May not the grantee of such coal mine enter the ground for digging coal and carry it away, paying treble damages for trespass? Hath not the relator, since he was denied to work here, raised the prices at his other coal mines, to his great gain, and to the injury of others? Have you known any lands in the manors of Stratton, Farrington, Ashwick, Holcombe, Kilmersdon, Luckington, Babington, Mells, or Leigh, worked by any lessee, without the leave of the tenants of the herbage? If so, what damage was paid, and did it exceed treble the damage done? Hath not Long bought this property of purpose to bring actions, and since he has been steward of the manor, has not he raised the price of coal one penny in every seven pecks or sack, and if he run on in this oppression of the poor, will not he advance the price higher for his own interest; and are not the many works of coal a great help to the country round?

It was deposed by one, that he knew no other manor of the King's where coal was digged; but that Lord Compton, when lord of Kilmersdon, granted a coal lease over a copyhold land. During these works old pits, found twenty yards deep, were deepened. The land in Perthill, before the digging was worth not more than five shillings an acre, shords or places had been trodden, and about four poles, twenty feet to the pole, were covered with wark, the damage being four pence per annum. About four ropes of hedge had been torn down, twenty feet to the rope. The wark which one witness said he had known to be carted away, was described as a poisonous earth, which killed the grass on which it was laid. The closes called Plummer's and Perthill, had been reputed part of the Forest of Mendip. The said forest, where coal pits were, extended from Stanbrook Ash, near Mells, to Gurney Slade, about four miles in length, and about a mile in breadth at the broadest.

This slip of forest seems to point to the origin of the

Liberty of Gill House.

Extending through the vallies of Edford and Vobster, this just wedges in between Kilmersdon and the Liberty of Mells and Leigh, the latter becoming marked as an off-cut from the Hundred. Being part of a royal forest, it could of course own no superior lord, and would thus remain separate from the Hundred adjoining it.

As against the depositions given, it was sworn that every copyholder could hinder the digging for coal, and that an agreement was customary before beginning such work.

Shepton was reached in good time, a few minutes past six. A fair number again joined at the dinner, which was attentively served.

Evening Meeting.

The chair was taken at eight o'clock, by Mr. SURTEES, the room being well filled.

Rev. Preb. SCARTH first read a paper on "Roman Cookery." It will be found printed in Part II.

The CHAIRMAN thanked Mr. Scarth for his interesting paper. He had heard that a peculiar class of snail was introduced by the Romans into Great Britain, for culinary purposes.

Rev. J. COWDEN COLE, speaking with reference to the luxurious habits supposed to have been introduced into Great Britain by the Romans, said he thought those who were familiar with the poems of Horace would be aware that there were two parties to the matter even in Roman days. There was a party which might be called the frugal party, which inculcated a very simple diet, and tried to put down all habits of luxury prevalent in Rome at that time. Horace himself professed to be a frugal, careful, and abstemious man. He took that as his high point in life, and he endeavoured not to transgress any of those necessary laws of being which he, as

a wise man, did not consider at all beneficial. They could hardly take up a poem of his, however, in which they did not find some allusion to the wine-drinking customs of the day. That seemed rather strange for a professedly frugal man. There was a difference, however, between the frugality of the present day and that in vogue in the age of the Romans. He did not profess to be able to explain that point. Horace, as they knew, lived shortly after Julius Cæsar landed on this island, and his influence might remain just the same as the Roman influence remained in Britain. The Roman villas discovered in this island were said to contain every appliance of luxury, showing, as Prebendary Scarth had stated, undoubtedly luxurious habits. It was a question whether those habits had any influence upon the gallant and noble subjects from whom we laid claim to be descended, viz., the Ancient Britons. He should be very much surprised if the Romans had changed the habits of the Ancient Britons to any extent.

Mr. F. T. ELWORTHY, had time permitted, wished to take exception to Mr. Scarth's arguments, that the Romans, at the period of their occupation of Britain, were a simpler-living, and more frugal people than we of the present day. In support of his view, Mr. Scarth quoted Pliny to prove that the Romans were rather vegetarian in their diet, and that on the whole, if he were rightly understood, they were a people whose cookery, certainly, and whose life and morals, probably, were simpler, and so better than ours. To those who desired more information on this subject, he recommended an examination of the Naples Museum. Unfortunately for Mr. Scarth's theory, the wonderful collection of household utensils, chiefly from Herculaneum and Pompei, to be seen in the Museo Ferdinando, at Naples, are precisely the very articles which existed at the exact period when Pompei was overwhelmed in that fearful eruption, so graphically described by Pliny himself, as an eye witness. In that collection, what impresses a visitor more than anything else is, that in all their domestic

appliances, the Romans of A.D. 70 were fully abreast of their posterity now living, while in many respects they were far in advance of them. It is clear that in the matter of cooking utensils, while in a great number of cases the forms still in use are identical with those found at Pompei, yet, in workmanship and in material, the articles exposed now in the Naples shops are vastly inferior to their ancient prototypes. The omelette-pans, the stew and sauce-pans, the skewers, knives, and numberless other articles in the Museum, are such as can be seen now for sale in the shops. There is, too, what appears to be a veritable *Bain Marie*. The well made brass cocks and lead pipes for water supply; the pocket cases of delicate surgical and dental instruments; the locks, keys, bits, and other articles of ironmongery show that no advance has been made in the manufacture of those things during the last eighteen centuries. Not only have cooking utensils remained unaltered, but, apparently, the food cooked is also the same. Among other relics discovered were many dishes of dessert, set out for use; but, of course, in most cases the fruit is undistinguishable. There are, however, several dishes of walnuts in perfect preservation, and in each of them the walnuts are served whole, but with one half of the shell removed—this is still the mode of serving walnuts in South Italy. The loaves of bread—found where they were placed by the Roman baker in the Pompeian oven—are round, flat, convex cakes, with a distinct + upon them, dividing each loaf into four equal segments. The common bread of Naples is to-day of like form. As to the simplicity of the fare and of the cookery, the people of the Empire, like the modern Italians, were vegetarians only from necessity, eating as much meat as they could procure, and only eking out their diet with pulse and green vegetables; while, judging from such evidence as has come down to us, it is probable that animal food was more eaten in Southern Italy then than it is now. The manners of the people are usually the reflection of those of the upper classes of society, and all history and con-

temporary literature prove conclusively, that, probably, at no period were luxury and gluttony carried to such an extreme as among the Romans under the Emperors. Where else do we find the disgusting details, still visible in Rome, of the *vomitoria*, and of such means of indulging gluttonous appetite? With all our modern sins, we have not set up a *dak* in India, with swift runners, merely to carry, not intelligence and enlightenment, but some perishable table luxury: yet the Romans brought "real natives" by that means all the way from Britain—a fit prelude to a dish of nightingales' tongues. Much might be said on this subject, but a mere glance at the evidence contained in the Naples Museum will prove that in licentiousness, in gluttony, and therefore, *a fortiori*, in cookery, we moderns are the simple livers, as compared with Rome under the Empire.

THE HON. SECRETARY, in the absence of the author, then read a paper, contributed by Mr. George Esdaile, on "The Romans in Bath." After describing the plan, as laid down by Hyginus, of the camp of a Roman legion,—about 15,000 men and 2,000 horses,—as being invariably the same, viz., 2,320 feet by 1,620 feet, and that the method for laying out this space was also invariably the same, viz., an officer struck into the ground a staff, or *groma*, having a white flag on the top, and then the position of each quarter was measured from this, so many paces north or south; Mr. Esdaile wished to suggest that Roman Bath would be like Roman Chester—at first a Roman camp. A plan or tracing, applicable to Chester, with some changes to suit a plan of Bath, accompanied the paper.

Bishop CLIFFORD remarked he saw no reason why there should have been a large camp at Bath, and he thought there was no foundation for the assumption here put forward. It was hardly reasonable to suppose that a strong legion had taken up its quarters in swampy land. Some proof in support of the theory was absolutely necessary.

Prebendary SCARTH, speaking as one who knew Bath well,

did not think it would be right to compare that city with Chester, or other points where, undoubtedly, the Roman forces were stationed. Bath never was a military station. There was no proof of any legion, or part of a legion, ever being stationed there. If ever a military force encamped in the locality, it was not at Bath, but on Combe Down, where an inscription had been found, commemorating the restoration of the officers' quarters.

Dr. NORRIS then read a paper on "Hamdon Hill," which will be found printed in Part II.

There being no discussion, the HON. SECRETARY, in the absence in Canada of the Rev. H. H. Winwood, the author, read some further "Notes on the Pen Pits." These are printed in Part II.

Mr. SCARTH, who had been mentioned in the paper, considered the work done as very valuable, but far from exhaustive. He had certainly expressed an opinion on the subject, and was of that opinion still.

Mr. WM. GEORGE (Clifton) read an extract from a letter he had received, which, he thought, gave some clue to the date of the tower of the church of St. Mary Magdalene, Taunton. It was as follows:—"1503, Aug. 4. John Netheway, of Taunton, makes his will, desiring to be buried in the Priory of Taunton. I bequeith to the newe towre making of Magdeleyne xs. I will that myn executrice make a new crosse of tree in the churchyard of St. Mary Magdalyn nigh the procession-way. My wife, Agnes, to have the residue of goods, my son, William Nethwaye, to be overseer. Witnessed by Master Hugh Thomas, Vicar of Magdaleyn, William Cooper, Jno. Maggott, Wm. Culverwell, and other 'moo.' To the service of our Lady in the church of St. James's, to take me as a 'broder' there, vjs. viij*d*. To the cathedral church of Wells, iij*d*. Proved 23rd Oct., 1503. Registered at Somerset House."

Rev. Frederick Brown had prepared a "Pedigree of the

Strode family of Shepton and Somerset;" of great interest, but not very readable. The Hon. Secretary had ready "A biographical account of two William Strodes," whose identity had puzzled historians. As the usual allotted time had now passed, both papers were taken as read. They are printed in Part II. This concluded the literary work of the Meeting.

The CHAIRMAN, expressing his satisfaction at the success of the Meeting, before they parted, begged to thank the Local Committee for the assistance rendered during the Society's visit.

Thursday.

Excursion to Radstock.

The morning was fine, to the satisfaction of every one. Taking the train by the Midland, the journey was easily made, and Radstock was reached a few minutes past eleven. A short walk brought the party to the offices, where some diagrams, showing the coal measures and geological features of the district, were found suspended on the walls.

Mr. McMURTRIE, using the diagrams for illustration, in giving some account of the local mining, said, in the course of the elevation of the Mendip Hills the upper series of coal measures had been thrust bodily forward a considerable distance, and the seams very much overlapped each other. The fault occasioned by the upheaval was one of the most remarkable things to be met with in the country in connexion with physical geology. After describing the position of the different strata, he said they were just commencing to sink one of the shafts to the new series of coal measures, and it was intended to go down to a total depth of 300 fathoms. It was hoped that they would meet with an entirely unbroken group of seams, which had never been touched in the parish before. Although they had still large resources existing in the upper seams, which had been worked for many years, yet they had a much larger storehouse lower down, and they hoped to reach

it some twelve months hence. The work had been in progress for two or three months, and he was glad to say it was going on thoroughly well. Proceeding to explain the mining operations carried on in the parish, he said, having reached the coal by driving through the rock from the bottom of the shafts, they opened out the mineral, working it out continuously, without leaving any pillars to support the roof. In other parts of the country large pillars of coal were left, which stood for many years, and when the pit was about to be abandoned, as much as possible of these pillars was removed. In Radstock, however, they worked on the long wall system, and built walls and a series of passages through the worked strata. The roads were laid with tram rails, and the coal was brought from the face to the bottom of the shaft in trams worked by horse or engine power. They worked in that district the thinnest seams that were to be met with in any part of England, and when the visitors inspected the mine they would see what trouble and expense were incurred to obtain the coal, and probably they would not grumble so much at their coal bills. Some of the seams in Staffordshire were very thick, but in Radstock they worked veins only 14 inches in thickness. There was a certain quantity of *debris* produced from the shales which over and under-laid the coal: it was not only sufficient to fill up the spaces caused by the extraction of the coal, but they had to raise large quantities to the surface. The roads underground were made six feet high, and to a certain extent they were timbered up. The earliest mining operations in the locality were the lead-mining works of the Romans, who exhibited great energy in mining for lead on the Mendip Hills, and lead-mining was carried on down to a modern period. There were no exact data which would fix the time when coal-mining was begun in that district, but the active period of it was limited to the last hundred years. There was evidence that at a time long anterior to that, large numbers of small, shallow shafts had been sunk, and he dared say that

coal-mining had been going on in the locality for several hundreds of years.

Mr. DAVIS mentioned that, in 1587, coal was worked at Hallatrow; and that in the same year nine sacks of coal sold, in Bath, for 6s. 8d.

The HON. SECRETARY remarking that coal was worked about the year 1300, at Kilmersdon, said that the early centre for the mining was about Stratton or that neighbourhood.

Mr. McMURTRIE remarked that in the district mentioned the coal measures came to the top, and were not overlaid by any newer formation, whereas at Radstock they were covered up by several formations. Radstock was only opened up when the measures, which were of easier access in other districts, were exhausted. As to the cost of the nine sacks, of course all would depend on the size of the sacks.

Proceeding next to Ludlow's Pit, the party assembled showed itself larger than expected; many had evidently, notwithstanding repeated requests, given no notice of their coming, thus causing much anxiety, and endangering the arrangements, as well as the general comfort. After a change of dress on the part of some, the descent commenced. The cages had been most carefully cleaned, and the sides boarded, so that, accompanied by experienced torch-bearers, five at a time were admitted and taken down: Mr. McMurtrie descending with the first cage to attend arrivals, leaving the Secretary at bank to superintend the departures. It was stated that a hundred and forty-five availed themselves of this opportunity. Arriving at the bottom, the visitors found the roadways brilliantly illuminated by some thousands of candles; a candle being placed on either side, about a foot or eighteen inches apart. Thus all could be seen with but little discomfort. During a walk of about a mile, the face of the coal was inspected, and the men seen at their work. Several fossil plants were pointed out *in situ*. Mr. McMurtrie accompanied the party, doing all in his power to make the ramble pleasant

and profitable. The courtesy of the men, too, was most marked. After an hour thus spent, the party assembled in the main roadway, and witnessed a further illumination by coloured Bengal lights. No doubt many would willingly have stayed down longer, but time demanded a move for the outer world. The ascent was made with the same ease and success as the descent, all coming to bank without mishap. The Secretary's horn presently sounding the advance, the Members proceeded through the churchyard,—some, as they passed, inspecting the church, not long restored,—and then ascended to a meadow adjoining Mr. McMurtrie's residence, on South-hill, where, in a marquee, was found ready a luncheon, most kindly provided by the President. By good fortune, some who had descended the pit had taken the earlier train, or otherwise gone away, so that the accommodation, as well as the provision, happened to be equal to the occasion, to the satisfaction of the President, and the hundred and twenty guests around him.

The luncheon over,

Mr. W. E. SURTEES said a vote of thanks had already been passed to Lord Carlingford for the feast of reason which he had given them in his opening address; and they had now to thank him again for a material feast, which was hardly less grateful to them.

Bishop CLIFFORD was sure he was only expressing the feelings of those present in seconding the motion, and thanking the President for the manner in which he had presided over them, and the kind manner in which he had provided for them. In these Societies not only was pleasure experienced at the time of the gatherings, but pleasant recollections were left of those whom they met. The remembrance of the kindness his lordship had shown them would not terminate with the three days of their meeting, but they would have all the pleasure of long recollection.

Colonel PAGET, M.P., remarked that their old-fashioned

way was to drink the health of their President, and give him three hearty cheers.

The health of Lord Carlingford was then heartily honoured.

LORD CARLINGFORD, in acknowledgment, said he was most sincerely obliged to them for their proposal, and for the manner in which his name had been received. He assured them it had been a real pleasure to him to extend what hospitality he could, both to his brother Members of the Somersetshire Archæological and Natural History Society, and to all their visitors—visitors who, he was happy to say, were considerably more numerous than he had expected, but whose presence had only added to their satisfaction; and he was proud to find that they were sufficiently prepared to meet them—a point about which at one moment he was rather nervous. He was glad also to congratulate them on their safe return to the upper world. Some years ago he received a large number of the Members of the British Association from Bath, and the elements then were decidedly against them, as the rain pelted, all day long, and the only dry and comfortable place to go to was underground. On the present occasion they had been more fortunate, though in their three days they had not entirely escaped the Mendip rain. It sometimes rained on Mendip. They had never experienced that perpetual snow which Mr. McMurtrie said existed at one time, but it sometimes rained. He was happy to find that the efforts made at Radstock to receive them met with their approbation. As far as he was concerned it had been a matter of goodwill, but the real pains which led to the good result were taken by his friend, Mr. McMurtrie. He agreed with one observation which was made, viz., that such an occasion gave them an opportunity of making acquaintance with neighbours and visitors that in many cases may not end with that day. He thanked them sincerely for the way in which they had received his name.

Colonel PAGET, M.P., said he desired to make a proposal, to

which he was sure they would give their unanimous approval, and that was a vote of thanks to Mr. McMurtrie. Interesting as the annual meetings of that Society were, year by year, he ventured to say that meeting would stand out as one of the most interesting that had ever taken place in the annals of the Society; and the chief interest in it was owing to the assistance given to them by Mr. McMurtrie. He was sure there was no one who had listened to his plain, admirable, short lectures on the geology of the district which they had seen, who did not feel Mr. McMurtrie had given him something to take home with him. They had been congratulated upon going down into the bowels of the earth and coming out once more; and they must thank Mr. McMurtrie for that. He might have left them in the pit. They would have been a pleasant company, and would have been happy if he had sent their luncheon down to them; but it would have been terrible if they were left there, and the luncheon up above. But, seriously, it was a great responsibility to take down a number of people unfamiliar with underground ways, and the presence of ladies added to the responsibility of Mr. McMurtrie. All of those who visited the underground workings must have been struck by the civility and good manners of the workmen; they greeted them with a ready smile. No doubt they were astonished to see the party, but they were glad to see them, and he ventured to say that a plate should go round the table, which should be entrusted to Mr. McMurtrie, that those who went down into the pit might contribute, in order that the miners might have some slight recollection of what had been a most pleasant day. He proposed to Mr. McMurtrie a hearty and unanimous vote of thanks.

The toast was heartily received.

Mr. McMURTRIE, in response, said he felt in some considerable degree the responsibility to which Colonel Paget had alluded, and he was exceedingly glad that the party had returned to the surface without mishap of any kind. His only

regret was that owing to the number of the party he was not able to give so much personal attention as he wished ; and that he was not able to say a little more upon the subject of coal working.

The amount collected for the miners was £7. 10s., and this will be supplemented from the Society's funds.

After the party left the tent, Mr. McMurtrie's private collection of fossils, especially rich in specimens of the coal measure plants, was inspected.

Assembling to the call of the Secretary's trumpet, the walk was commenced for the

Fosse Road.

A section was found cut and cleared for inspection, so that the paper prepared in explanation, by Mr. McMurtrie, as printed in Part II, was readily understood. A thorough examination was made, especial notice being taken of the wheel tracks worn on the road surface. Some general conversation ensued, when

Mr. MURCH mentioned that a discovery of a Roman pavement had just been made in Bath.

Round Hill Barrow.

This interesting spot, locally called Round Hill Tump, could not be visited, as the railway times demanded punctuality, and the hill on which it stands an uncertain time for exploration.

From the fact that the top of the barrow, on which grows a tree, seems excavated to form a crater or hollow, it was supposed that it had been used as a beacon ; but the cause for this depression, as will be seen, is simple enough.

The late Mr. Skinner, of Camerton, of whom more should be known,—especially of his exertions in exploring local antiquities,—wishing to learn more of this barrow, hired two colliers to open it. Beginning on the east side, a passage was driven to the centre, four feet high, and the same wide. Five yards were done the first day, the 22nd September, 1815, and

the whole propped, as the loose stones and falling earth much impeded the work. On Sunday, the 25th, some idle colliers visiting the place, pushed a large stick into the excavated part, and so brought down so much loose stone, that Monday was wholly occupied in clearing it. By the 28th, fourteen yards had been opened,—the ground being black at the bottom, indicating fire,—but nothing was found. On the 30th the middle was reached, when it was found that a hole had been sunk through the centre, to four feet below the natural surface, thus accounting for the hollow at the top. The interment was gone; there was no cist, only a hole in the soil.

Mr. Skinner notes that the barrow had been opened about 1737, the circumstance being mentioned in the *Gentleman's Magazine*.

The curiosity which prompts the disturbing these monuments of our early times, had once other motives. In 1236 (*Close Rolls*, 21st Henry IV, m. 14), the Earl of Cornwall was ordered to go to the Isle of Wight, to enquire concerning persons who were digging there to seek for treasure; and in the same year the Earl was ordered to cause certain mounds, "Hogæ," in Cornwall to be dug into to seek for treasure, as the King had commanded should be done in the Isle of Wight.

Roman Remains at Radstock.

Mr. Skinner has also left some memoranda respecting Roman remains found in eighteen acre field in Camerton, on 23rd June, 1814. (*Add. MSS.*, 28,794.) Finding in his walks to Radstock that he picked up specimens of Roman pottery, and that coins had also been found there, he determined to examine some gentle risings in the ground, on a line running parallel east and west with the Fosse road. Accordingly, having engaged four labourers, they began on the morning of the 23rd June, 1814, to open the ground at the southern extremity, working northward. A foot below the surface the earth was found mixed with loose stones, fragments of coarse pottery,—red and white,—and pieces of painted stucco, the colours quite

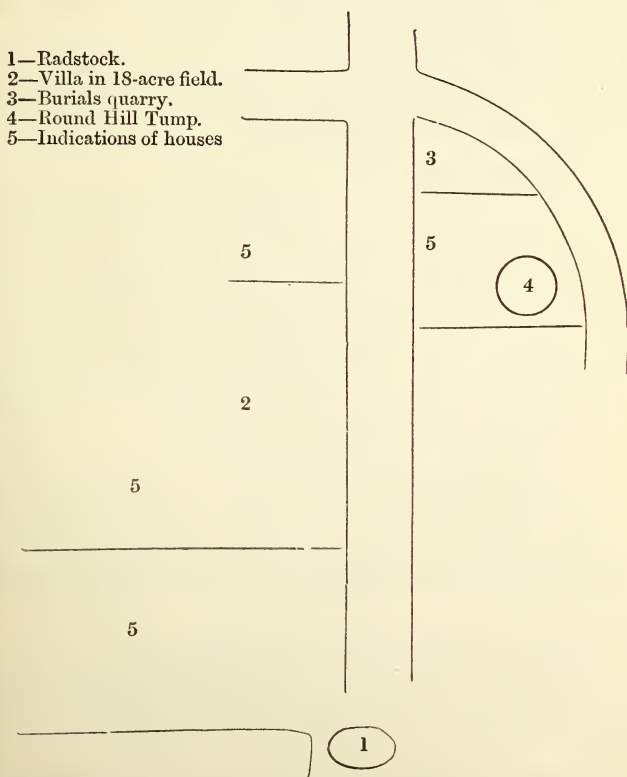
fresh. The foundations of a wall were found, running east and west; and also another wall, running north and south. Many stones had been removed. The chamber uncovered was about nine feet square. A finer piece of pottery was found near the south-east angle on the outside of the wall. There was also the lower part of a female figure, on a pedestal a foot and a half long, by one foot; the figure was nine inches in height. It was cut from coarse freestone, and supposed by Mr. Skinner to represent the goddess Victory. Besides these, a statue, a column, and an inscription were also found. The capital of the column measured twenty inches in diameter, and in a square hole cut in the upper part of the stone was a small coin. The coins found were:—Faustina (silver), Constantinopolis, Constantius, Constantinus, Crispus, Octavia, C. Quintillus, Tetricus, Lecunius, Maximinianus, Postumus.

On 13th January, 1815, the eighteen acre field being again clear, with four helpers the work was re-commenced and continued until the 22nd. The walls of the previous discovery being first uncovered, the foundation of another wall was met with, running east to west, and traced easterly for fifteen feet. It was then traced north and south for thirty feet, when it was joined by another wall, part of an apartment nine feet square. This seemed to have been entered from a court, and not connected with the interior of the house. Some burnt bones, apparently of sheep, and some small fragments of thin white glass were found. The south front was next traced, and found to extend for seventy-six feet; having an opening for entrance near the centre. The base of a column was found at the door-side, corresponding with the capital found in June; but the workmen split it, expecting to find money beneath it. The hall flooring was hard and smooth, but without tesserae. There was also found a fibula, copper-enamelled, red and silver. The eastern extremity of the wall made a semi-circular course, and was traced to within twenty feet of the western, where the foundations had been removed.

Other tracings were made, but the walls had been disturbed and the stones removed. A small red vessel was found, about four inches high, nearly perfect; and portions of another, bearing the maker's name,—CLVPPIM,—“by no means a Roman one; perhaps he was a Briton.” The earth being turned over, only nails, pieces of tile, and pieces of brass, and a hand-mill were found. Judging from the dispersed pottery, it was assumed that the Roman buildings extended a quarter of a mile, east to west. On the 31st July, therefore, the search was continued in the same field, the spot now chosen being within a stone's throw of the former, and where a rising ground indicated a site. Pottery and loose stones were found, but no regular foundations, so the spot was left. The next day another rising was tried, when, at the depth of two feet and a half, squared stones and roofing tiles were found, but no foundations. At four feet deep, some ware was met with. Six coins were found; one of Constantine, bearing two soldiers, standing by the military standard, on which was the labarum (P with a \times); also a stylus, and an iron celt, five inches long, “evidently from a cist two feet below the foundations.” To encourage the workmen, beyond their pay and beer, they were offered two pence for each coin, five shillings for a perfect clay urn, and a guinea for one of coralline ware. The other discoveries or finds were some copper coins and some oyster shells. Coal was found, “an evidence that its use was known to the Romans;” probably brought from some place where it crops out at the surface. Another place was tried, “near the foot-path to Radstock,” but, after two day's work, only a few coins and sundries were found. Some of the stones unearthed were afterwards carted off by the farmer, to build a wall, whilst others were removed by Mr. Skinner to the parsonage at Camerton, to build an arch over a spring, in a field above the house.

At the northern extremity of the field in which the Round Barrow stands, about twenty feet from the Fosse, there is a

rising ground, where the plough is sometimes stopped by stones or walls, and where coins and pottery have been found. Beyond this, about a hundred yards from the Barrow, but close to the Fosse way, several burial places had been discovered at the depth of three or four feet, containing black mould, fragments of coarse unbaked urns, bones of animals and men, charcoal, etc. A fresh burial having been opened whilst the above searches were in progress, made it a favourable time for an inspection.



Going next to these quarry graves, the earth was thrown out, when human bones and remains, coarse pottery, and bones

of the sheep, pig, and roebuck were found. There was no cist, and the place seemed to have been disturbed as the remains were much mixed.

As the pottery was found broken and mixed up, part of one vessel being on the top, the other part being found at the bottom, Mr. Skinner thought it was the site of a large British burial place, which had been at some time disturbed and all the remains then thrown in together.

From the Fosse way the Members returned to the rectory, where they were received by the Rev. H. Nelson Ward, and invited to tea and other refreshments.

Afterwards, gathering on the lawn, on the motion of the PRESIDENT, seconded by Mr. MURCH, a vote of thanks was passed to Mr. Ward for his hospitality.

Mr. WARD briefly responded.

Col. PAGET, in moving a vote of thanks to Lord Carlingford for presiding, said that those who had the pleasure of listening to his able and interesting address, would recognise the great advantage which the Society had received. His lordship had told them that there were Cis-Alpines and Trans-Alpines in respect to the Mendips. He hoped the Cis-Alpines present would carry away with them the knowledge that the barbarians of Mendip had some good qualities.

Mr. W. E. SURTEES, in seconding, remarked that he had been in the habit of attending the meeting of the Society for thirty years, but had never experienced greater hospitality. He had rarely listened to a more interesting Presidential address.

The motion was carried with acclamation.

The PRESIDENT briefly acknowledged the compliment, and in concluding the meeting, wished continued prosperity to the Society.

The proceedings then terminated, there being comfortable time before the departure of the several trains.

The following advertisement appeared in the *Bath Chronicle* of 8th January, 1885:—

ROMAN ANTIQUITIES IN BATH.

Account of Mr. Murch, Treasurer.

March 1st, 1881, to May, 1884.

	£	s	d
To Donations ...	1,101	9	6

Examined and found correct,
6th January, 1885.

H. GORE.

	£	s	d
By payments to Mr. Mann,	739	2	8
Major Davis (Commission),	45	0	0
Messrs. Lewis & Co. (Printing)	7	18	8
„ Keen & Co. „	4	18	3
Postage and Sundries (J.M.)	5	10	0
Ditto, by Mr. Weston ...	3	9	0
Messrs. Wood (Stationery)	14	6	
„ Bleack and Leech			
(Printing) ...	2	15	0
Messrs. Stone & Co. (Costs)	200	5	8
Balance ...	1	15	9
	£ 1,101	9	6

The Local Museum.

Gold and Silver Coins of the Stuarts, and other Coins and Medals ; a Prayer Book, 1640, in original binding ; a Buzzard, killed near Shepton Mallet ; by Mr. A. F. SOMERVILLE.

Some Antique Clocks, Watches, and Silver Spoons ; *The Whitehall Evening Post*, 1726-32 ; *St. James's Evening Post*, 1735-38 ; Ancient Funeral Monuments, 1631 ; by Mr. CUZNER.

Fossils from the Mountain Limestone, Lias, and Oolite formations in the neighbourhood ; Roman remains found at Charlton, some coins, etc. ; by Mr. PHILLIS.

Map of Somerset, dated 1610, and Photographs of places in the neighbourhood ; by Mr. F. ALLEN.

Views of the Church, previous to alterations, and Market Place, Shepton Mallet ; by Mr. W. CLARK.

Some antiquities found at Hamdon Hill ; by Mr. NORRIS.

Coal Fossils and Minerals ; by Mr. C. R. WAINWRIGHT.

The Library.

ADDITIONS SINCE THE PUBLICATION OF THE LAST VOLUME :

The Archæological Journal, Nos. 161, 162, 163, 164, 165.

Journal of the British Archæological Association, June, 1884, to March, 1885.

Proceedings of the Society of Antiquaries of London ; vol. ix, No. 3 ; vol. x, No. 1.

Transactions and Proceedings of the Royal Irish Academy.

Journal of the Royal Historical and Archæological Association of Ireland, Nos. 57, 58, 59.

Associated Architectural Societies' Reports, 1883.

Wiltshire Archæological and Natural History Magazine, Nos. 62, 63, 64.

London and Middlesex Archæological Society.

Annual Report of the Plymouth Institution and Devon and Cornwall Natural History Society, vol. viii, pt. 3.

Transactions of the Bristol and Gloucestershire Archæological Society, vol. v, pt. 1; vol. viii, pts. 1 and 2. *Wills in the Great Orphan Book*, pt. 3.

Montgomeryshire Collections, pts. 35, 36, 37.

Proceedings of the Derbyshire Archæological and Natural History Society.

Proceedings of the Shropshire Archæological and Natural History Society, vol. viii, pts. 1, 2; vols. vi, vii.

Transactions of the Hertfordshire Natural History Society, July, September, 1884.

Yorkshire Archæological and Topographical Journal, vols. i to viii.

Proceedings of the Bath Natural History and Antiquarian Field Club, vol. v, Nos. 3, 4.

Proceedings of the Geologists' Association, vol. viii, Nos. 6, 7, 8.

Scientific Transactions and Proceedings of the Royal Dublin Society.

Proceedings of the Bristol Naturalists' Society, vol. iv, pt. 2.

Proceedings of the Literary and Philosophical Society of Manchester, vols. xx, xxi, xxii; *Memoirs*, vol. vii, 3rd series; *A Century of Science in Manchester*.

Measurements and Valuations of the Domesday of Cambridge-shire; *Memoir of Caleb Parnham, B.D.*; and *Report for 1882*, No. 25; from the Cambridge Antiquarian Society.

Archæologia Æliana, pts. 1 to 27.

Transactions of the Essex Field Club, vol. iii, pt. 8.

Transactions of the Essex Archæological Society, vols. i, ii.

Proceedings of the Norfolk and Norwich Archæological Society, vol. x, pt. 1.

Proceedings of the Leicestershire Architectural and Archæological Society, pts. 1 to 21.

The Visitation of London, vol. ii (Harleian Society).

Transactions of the Natural Science Society of Vienna.

Bulletin, vol. xiv; *Plummer Hall*; *Pocket Guide to Salem*; *The North Shore*; from the Essex Institute, Salem, Mass.

Proceedings of the Davenport Academy of Natural Sciences, vol. iii, pt. 3; *Elephant Pipes in the Museum of the Academy*; from the Davenport Academy, Iowa.

Report of the Smithsonian Institution, Washington, 1882.

Proceedings of the Canadian Institute, Oct., 1884, vol. iii, No. 1.

D'un Tesoro di Monete Anglo-Sassoni trovato Nell'atrio delle Vestali; from Comm. GIOVANNI BATTISTA DE ROSSI, Rome.

History and Description of Corfe Castle; from the author, Mr. THOMAS BOND.

Gloucestershire Notes and Queries, pts. 23, 24, 25, 26; from the EDITOR.

Some Account of the Church of St. Mary Redcliffe, Bristol; from Mr. SURTEES.

A Brief Account of the Family of the Grants; from Sir F. GRANT.

On the Customs of the Banquet among the Romans; *Horace*; *The Taunton Courier*, 1855-64; *Western Flying Post*, 1842-46, 1849-62; from Mr. HAMMOND.

A Catalogue of Charters and other Objects Exhibited at St. John's Rooms, Winchester, during the Celebration of the 700th Anniversary of the Mayoralty, July 3rd and 4th, 1884.

Bristol and West of England Archæological Magazine, Nos. 1, 2, 3; 1843.

A True Report of Certain Wonderful Overflowings of Waters in Somerset, etc. (reprint), by Mr. E. E. BAKER.

The Antiquarian Magazine and Bibliographer, Nos. 31 to 42.

Travels in Sardinia, 3 vols.; by Mr. J. W. W. TYNDALE.

Report on Excavations in the Pen Pits, near Penselwood, Somerset; by Lieut.-Gen. PITT-RIVERS.

The Liberty of Independent Historical Research; from Mr. THOS. KERSLAKE.

Antiquarian Magazine, No. 33; from Dr. PRING.

Cartularium Saxonicum, pts. 7 to 11.

The Taunton Courier, 1810 to 1848; by Mr. FITZ-GERALD.

History of the Family of Fortescue; by Lord CLERMONT.

Official Illustrated Catalogue to the Exhibition of 1862, 2 vols.;

Official Catalogue to ditto, 2 pts.; *Kingston Church—a Lecture*; Moore's *View of Society in France, Switzerland, and Germany*, 2 vols.; Fisher's *Picture of Madrid*; Orrery's *Letters*; *Ramble through Holland, France, and Italy*; Fielding's *Tom Jones*; from the Rev. I. S. GALE.

Mediæval Military Architecture, 2 vols.; by the author, Mr. G. T. CLARK.

The Parson's Home—a Poem; *Observations upon the Prophecies of Daniel, and the Apocalypse of St. John*, by Sir Isaac Newton; Walford's *County Families*, 2nd edition, 1864; Lodge's *Peerage and Baronetage*, 1859; Debrett's *Peerage*, 1878; *Early English Text Society*, Nos. 73, 74; *Fontanini, Biblioteca Italiana*, 2 vols.; *Official Year Book of the Scientific and Learned Societies*, 1884; *The Historical, Geographical, and Poetical Dictionary*, 1794; *The World*, 1753; *The Hereditary Rights of the Crown of England Asserted*, 1713; from Mr. SLOPER.

Life and Times of Sydney Smith; *Plant-Lore Legends and Lyrics*; from Mr. MARSHALL.

Early English Text Society, Nos. 3, 5 to 12, 75 to 80; and the *Epinal Glossary* (purchased).

Early English Text Society's Publications, Nos. 24 to 72; from the Rev. H. H. WINWOOD.

The Courtenay Chimneypiece in the Episcopal Palace at Exeter; from Mrs. HALLIDAY.

The Renaissance and Italian Styles of Architecture in Great Britain; from Mr. WYATT PAPWORTH.

Pipe Roll Society, vol. ii.

Report of the Council and Report of the Museum Committee ; from the Literary and Philosophical Society, Leicester.

Archæologia Cantiana, vol. i ; from Mr. JEMMETT.

Westley's *New Guide to Cheltenham ; Tour to Cheltenham Spa*, 1783 ; *The Stiff Family* ; Mills's *Wanderings in Devon and Cornwall* ; Antrobus's *Poem on Clifton* ; *Alphabetical References to Map of Gloucestershire* ; Stoke's *History of the Midland Association* ; *Weymouth as a Watering Place* ; Williams's *Memoirs of Suckling* ; Holt on *Pluralities* ; Worgan's *Select Poems* ; James's *Poems* ; from the Rev. B. H. BLACKER.

Index to the Proceedings and Transactions of the Philological Society ; from Mr. ELWORTHY.

Philosophical Transactions of the Royal Society, to 1800 ; from Sir A. TREVELYAN, Bart.

Northamptonshire Natural History Society's Magazine, Nos. 19, 20.

Palæontographical Society, vol. xxxviii.

Memorial of Henry Wolcott, one of the First Settlers of Windsor, Connecticut, and of some of his descendants ; Longmeadow Centennial ; from the Rev. SAMUEL WOLCOTT, D.D., Longmeadow, Mass., U.S.A.

The Banished Son—a Tragedy ; from Mr. CRAWFORD.

Fac-similes of German Prints and Drawings in the British Museum ; from the TRUSTEES.

The Western Antiquary, Nos. 1 to 12 ; from the EDITOR.

Penwortham and Kersal ; from the AUTHOR.

Journal of the Society for Preserving the Memorials of the Dead, pt. iv.

Registers of St. James, Clerkenwell ; from the Harleian Society. *Ray Society*, 1884.

Visitation of Bedfordshire ; from the Harleian Society.

Leicester Literary Society—Inaugural Address, 1884-5.

Journal of Microscopy, pt. xii.

English Municipalities — their Growth and Development ; County Companion and Directory, 1879-80-83-84 ; *The Banking*

Almanac, 1884; *The Municipal Corporations' Companion*, 1878-79-80-82-84; *Solicitor's Diary and Directory*, 1884; *Solicitor's Pocket Diary*, 1884; from MESSRS. WATERLOW AND SON.

Records of the Borough of Chesterfield; from Mr. GEO. EDW. GEE, Mayor of Chesterfield.

Cripps's *Old English Plate*.

Yorkshire Philosophical Society, Report, 1884.

Historic Houses in Bath, 2 vols.; Hunter, *On the Connection of Bath with the Literature and Science of England*; from Mr. R. E. PEACH.

Associated Societies' Reports and Papers, for 1858, 1859, 1861, 1879, 1881; from the Leicestershire Architectural and Archæological Society.

ARCL. SOCIETY.

Eight Tracts on Religious Subjects, by James Billet, Taunton; *A Lecture*, by John Jackson, of Taunton; *Two Tracts*, by John Wheadon, of Chard; and some *Particulars of Estates for Sale*; from Mr. A. MAYNARD.

The following Works presented by the Lords Commissioners of Her Majesty's Treasury.

CALENDARS OF STATE PAPERS:

Calendarium Genealogicum, for the Reigns of Henry III and Edward I. 2 vols.

Domestic Series, of the Reigns of Edward VI, Mary, Elizabeth, and James I. 12 vols.

Domestic Series, of the Reign of Charles I. 16 vols.

Domestic Series, during the Commonwealth. 7 vols.

Domestic Series, of the Reign of Charles II. 6 vols.

Home Office Papers of the Reign of George III. 3 vols.

State Papers relating to Scotland. 2 vols.

Documents relating to Ireland. 4 vols.

State Papers relating to Ireland, of the Reigns of Henry VIII, Edward VI, Mary, and Elizabeth. 3 vols.

New Series, Vol. X., 1884, Part I.

- State Papers relating to Ireland, of the Reign of James I. 5 vols.
 Colonial Series. 4 vols.
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The Museum.

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DEPOSITED:

Three Original Letters from the Duke of Somerset to Sir Francis Warre of Hestercombe, relating to the apprehension of the Maids of Taunton who presented flags to Monmouth on his entry into Taunton, 1685.

Taunton Castle.

The following is a list of the Subscriptions received towards the restoration of the roof and other works connected with the repair of the Castle Keep, amounting to £286 8s.; leaving due from the Society the sum of £243 4s.

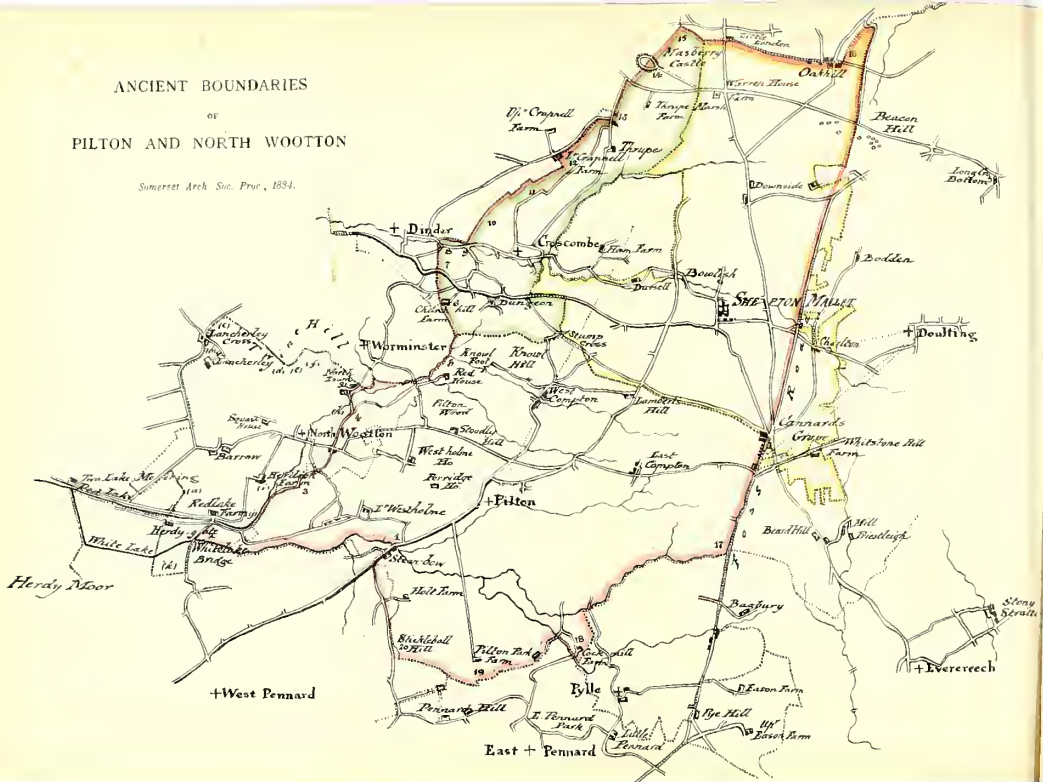
	£	s	d		£	s	d
Mr. Sanford (1st don.) ...	5	0	0	Mr. W. B. Naish ...	1	0	0
Mr. Surtees ...	3	3	0	Mr. H. E. Murray-Ander-			
Mr. C. I. Elton, M.P. ...	5	0	0	don ...	1	0	0
Bishop Clifford ...	2	2	0	Major Barrett ...	2	2	0
Mr. Stanley, M.P. ...	5	0	0	Rev. H. M. Scarth ...	1	0	0
Dr. Prior ...	5	0	0	Mr. Manley ...	1	0	0
Mr. Blommart ...	2	0	0	Right Hon. Lord Justice			
Mrs. C. Meade-King ...	1	0	0	Fry ...	1	0	0
Major Altham ...	1	0	0	Mr. F. Mitchell ...	1	0	0
Mr. O. W. Malet ...	1	0	0	Mr. C. Milsom ...	10	6	
Mr. Sloper (proceeds of In-				Mr. Hugh Norris ...	10	6	
stitution Share) ...	3	6	6	Rev. I. S. Gale ...	10	6	
Mr. Wilfrid Marshall ...	2	2	0	Miss Trevelyan ..	1	1	0
Mr. Chas. Lamport ...	2	0	0	Miss E. C. Impey ...	10	0	
Sir A. H. Elton, Bart. ...	2	2	0	Mr. St. David Kemeys			
Genl. Sir Percy Douglas,				Tynte ...	1	0	0
Bart. ...	1	0	0	Dr. Winterbotham ..	1	1	0
Mrs. Coles (Shepton Beau-				Mr. Wm. Kettlewell ...	3	3	0
champ) ...	1	0	0	Mr. W. B. Sparks ...	1	1	0
Mr. Thos. Kerslake ...	1	0	0	Mr. W. S. Clark ...	10	0	
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Mr. Wm. S. Gore-Langton,				Mr. Alfred Seymour ...	3	3	0
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Rev. E. L. Barnwell ...	5	0	0	M.P. ...	5	0	0
Mr. R. Neville-Grenville ...	3	0	0	Mr. Jonathan Barrett ...	1	1	0
Sir T. D. Acland, Bart.,				Mr. John Prankerd ...	1	0	0
M.P. ...	5	0	0	Mr. P. D. Prankerd ...	5	0	0
Lord Portman ...	10	0	0	Mrs. L. S. Ashworth-Hallett	1	1	0
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Mr. T. T. Knyfton ...	3	3	0	Mr. W. Jerdone Braiken-			
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Mr. A. Gillett ...	1	0	0	Mr. J. B. Davidson ...	1	0	0
Col. C. K. Kemeys Tynte...	5	0	0	Mr. Thos. Sheldon ...	1	0	0
Mr. G. T. Clark ...	2	2	0	Rev. W. T. Blathwayt ...	6	0	0
Mr. H. W. Hoskins ...	1	1	0	Rev. W. E. Buller ...	1	0	0
Mr. H. G. Moysey ...	3	3	0	Mrs. Eden ...	1	0	0
The Bishop of Bath and				Rev. G. Buckle ...	1	0	0
Wells ...	2	2	0	Mr. E. Bath ...	10	0	
Mr. Wm. Bond Paull ...	1	1	0	Rev. H. Clutterbuck ...	1	1	0
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(1st don.) ...	1	0	0	Capt. Philp ...	1	1	0
Rev. J. E. Lance ...	1	0	0	Mr. Sanford (2nd don.) ...	5	0	0
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Rev. G. O. L. Thompson ...	10	0		Mr. A. Hammett ...	10	0	
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Rev. E. Whitfield ...	1	0	0	Mr. H. Badcock ...	1	0	0
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Mr. S. Toms ...	1	1	0	Mr. Esdaile (2nd don.) ...	3	0	0
Mr. J. S. Bartrum ...	1	0	0	Mr. Dickinson ...	1	0	0
Mr. Thos. Goodland ...	10	6		Mr. Thos. Goodland (2nd			
Mr. J. F. Hammond ...	1	1	0	don.) ...	10	6	
Mr. Bourdillon ..	1	0	0	C. H. Samson ...	5	5	0
Major Helyar ...	1	1	0	Rev. S. O. Baker ...	10	0	



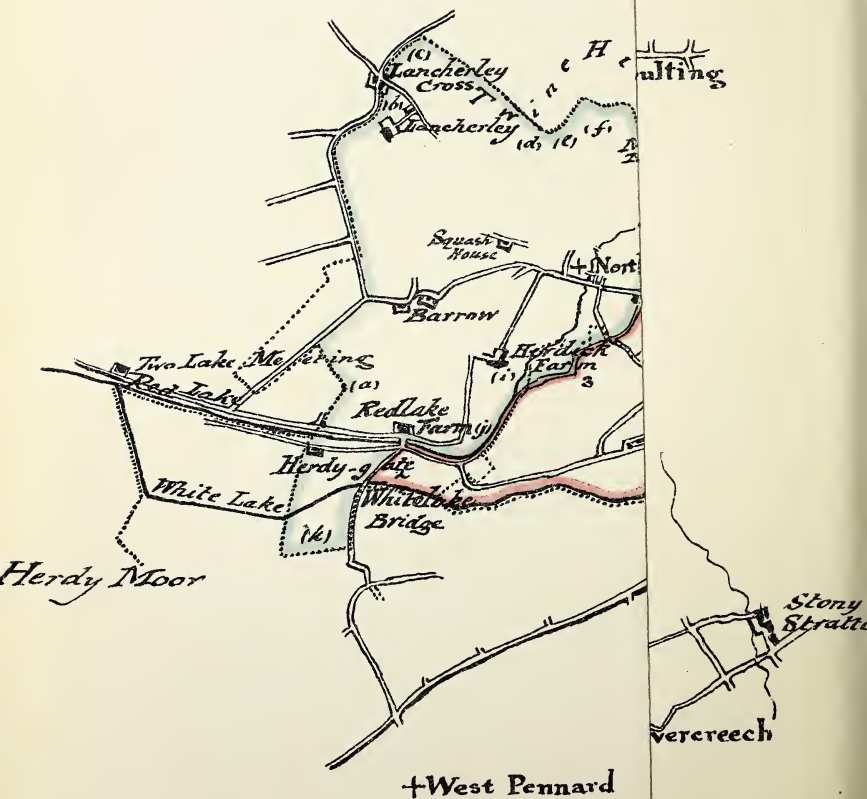
ANCIENT BOUNDARIES
OF
PILTON AND NORTH WOOTTON

Somerset Arch Soc. Proc., 1834.



ANCIENT BOUNDARIES OF PILTON AND NORTH WOOTTON

Somerset Arch Soc. Proc., 1884.



Proceedings
of the
Somersetshire Archæological and
Natural History Society,
1884, *Part II.*

PAPERS, ETC.

On The Charters of King Ine.

BY JAMES BRIDGE DAVIDSON, M.A., F.S.A.

THE reputed charters of Ine, King of Wessex (A.D. 688—725) that survive, are twelve in number. All of them purport to be grants to religious houses or communities; and all, except one, come down to us as transcripts, embodied in historical writings, or entered in registers of abbeys. The single document which exists as a separate script is preserved in the Taunton Museum, and has been recently fac-similed by the Ordnance Department.¹ As this instrument comprises lands,—some of which lie round Shepton Mallet, where this year's meeting of the Society is held,—a description of its

(1). *Anglo-Saxon MSS.*, pt. 2 (1883). The date on the title of this volume is 1881; the preface is dated July 25, 1882. It was first issued to the public in May or June, 1883.

nature and contents may be considered not inopportune.

Of the above mentioned twelve deeds, three relate to Abingdon, one to Malmsbury, one to Winchester, one to the Wessex diocese generally. The remaining six are grants in favour of Glastonbury, of which the Taunton document is one.

With the subject of these reputed grants to Glastonbury are mixed up questions that arise upon William of Malmsbury's treatise *De Antiquitate Glastoniensis Ecclesiæ*, which may be supposed to have been written in about the year 1110.¹ Dr. Gale's edition, from which we quote, was printed in 1690. In his preface to this work, Malmsbury states that he had submitted for correction to the brethren of the monastery, "dominis et sociis meis," his *Lives of Dunstan and Patrick*; his work on the *Miracles of Benignus*; and on the *Passion of the Martyr Indractus*, "ut si quid citra rationem dictum esset, corrigeretur pro tempore"—and it is at least probable that the *Antiquities of Glastonbury* was likewise so submitted, with the result that many interpolations have crept into what Malmsbury wrote, and considerable additions have been made; as indeed is obvious from the fact that the list of abbots is, in Gale's edition, carried down to the year 1234.

When the charters and the history come to be compared together, a very general resemblance is found to exist between them; but the history, as a rule, is more ample in its statement of the lands granted, and generally more favourable to the monastery than are the charters—a consideration which rather weighs in favour of the charters. Again, a great portion of the so-called history in Gale consists of rough memoranda, not worked up into narrative. Yet these *dissecta membra* often seem like fragments extracted from actual deeds, pointing to originals of which the existing charters are copies. How far

(1). "There seems to be some ground," says Sir T. D. Hardy, (Preface to the *Gesta Regum*, pt. 9,) "that it," viz., the *Gesta Regum*, "was written between the years 1114 and 1123." The work called *The Antiquities of Glastonbury*, presumably, was compiled before the composition of the *Gesta Regum*.

these relics are part of the materials originally furnished to the compiler, and to what extent they may be the side references of some annotator that have slid into the text, it is not easy to say.

Another difficulty occurs at this part of the inquiry. A list of the abbots of Glastonbury is given at p. 328 of Gale, with many errors on the face of it; but such errors only as have been hitherto attributed to the mistakes of transcribers, and considered capable of correction. Attempts at such correction have been made;¹ notably by the Bishop of Chester, in the *Memorials of St. Dunstan* (Intr., p. lxxxii, note), of which copy is given below, App., col. 3. But amongst the Cotton MSS. is to be found another catalogue, giving a different order of names, fewer in number. To this list great weight is attached by the Bishop of Chester;² and the fact which he states,³ that the list of Bishops of Sherborne, as given in this Cotton MS., though differing from the ordinary series in Dugdale and elsewhere, precisely corresponds with another in a Sherborne MS. in the National Library, Paris, is a proof of the value of this Cotton record. Several pages of this manuscript⁴ are filled with lists of various personages—popes, bishops, and kings. The writing seems to be all of one date, and if so, can be shown, by comparison of the last names, to be of the year 990. Each series has its own heading in red, except the last but two, where there are spaces for rubrications, which have not been filled in. The last but one is a genealogy of the Kings of Wessex, from the three sons of Eádgar upwards.⁵ This genealogy resembles, but is by no

(1). See a revised list on a blank leaf at the beginning of a volume (*Add. MSS.*, No. 22,934,) in the British Museum, which is a copy of Malmsbury's *History* and other matter, formerly in the possession of Sir F. Palgrave.

(2). *Councils* iii. 228, 284; *Memorials of St. Dunstan*, Intr., p. lxxxi.

(3). *Ib.*, p. cxiii.

(4). Cott. Tib., B. v, pt. 1, fols. 17—23.

(5). The names of the three sons here given are Eádward, Eádmund, and Æðelred. Of the existence of the second son, Eádmund, Lappenberg seems to have had some doubt, which probably he would not have entertained, had this manuscript been known to him. Thorpe's *Lappenberg*, ii. 150.

means identical with, those of the Canterbury (B), Abingdon (C), and Worcester (D) versions of the Chronicle, under the year 859. Like them, it tells of Sceáf having been born in the ark of Noah, not Hrathraing, as the Winchester (A) chronicle relates.¹ But under mention of Ine, it records, "and he getimbrade thæt beorhte mynster æt Glæstingabyrig," a phrase which, without the expletive "beorhte"—"splendid," is to be found only in the margin of the Winchester Chronicle (A), under the year 688, into which it has been inserted from (G), which is essentially a Canterbury version of the same Chronicle.² Last of all comes the column in question (App. I. col. 1), which, though not headed, as already observed, is evidently a catalogue of the Glastonbury abbots. It differs so materially from the list in Gale, that the credibility of matters based upon, or consistent only with, that list, is very seriously shaken.

Neither of the two lists can be said to receive much illustration from the charters, but a piece of independent testimony comes from the letters of Boniface, amongst which is one,³ from Berhtwald, Archbishop of Canterbury (693—731), to Forthere, Bishop of Sherborne (709—737), desiring him to petition Beorwald, Abbot of Glastonbury, to release a captive girl, at the request of her relations, for the sum of 300 shillings. It follows that at some date between 709 and 731, the Abbot of Glastonbury was Beorwald. In the list in Gale, there is an abbot of this name, given at from 705 to 712. In the Cotton list, this name does not precisely occur, but the Bishop of Chester identifies Beorhtwald of the Cotton list with the abbot of the letter. He also identifies Weahlstod of the Cotton list with Uualchstod, Bishop of Hereford, from about 727 to about 737, mentioned by Bæda⁴ as bishop of that see in 731. If this be so, Weahlstod must have ceased to be

(1). See Earle, *Saxon Chronicles*, pp. xiii. 71.

(2). See Earle, *Ib.*, p. liii.

(3). *Jaffé*, No. 7, p. 48; *Councils*, iii. 284.

(4). *Eccl. Hist.*, v. 23; *Memorials of Dunstan*, Intr., p. lxxxii.

abbot, and have been succeeded by Coengils, the next on the Cotton list, in about 727, and we then get the following approximate dates for the first four bishops on this list:

Hemgils ¹	...	c. 680 to c. 705.
Wealstod	...	c. 705 to c. 727.
Coengils	...	c. 727 to before end of 731.
Beorhtwald	...	before end of 731 to . . .

Turning now to the charters and to Malmsbury's *History*, we may briefly note what, according to these two sources compared, were the traditions and pretensions of Glastonbury, as to grants by Kings of Wessex before Ine.

In the year 670, and in the reign of Cenwalh (643—674), the cartulary gives a reputed grant of one cassate at Ferramere² (Meare); the abbot's name being Beorhtwald. This Beorhtwald, according to Glastonbury tradition, after he had been head of the monastery for ten (or as John of Glastonbury states, for eight) years, was in 680 or 678 made Abbot of Reculver, and in 693, Archbishop of Canterbury. Since Brihtwald, Archbishop of Canterbury, is known to have died on the 13th January, 731,³ this tradition would give to one man a period, as abbot and bishop, of 61 years—an improbable thing, though not impossible; whereas, if the Cotton list be correct, the tradition cannot be true. The compiler of this list knew of no founder of Glastonbury before Ine, no abbot before Hemgils—and no Abbot Beorhtwald before about the year 727. In Gale⁴ this grant takes the form of two hides at Ferramere; but the words, "Ego Theodoretus" (for Theodorus, archbishop from 668 to 690), "subscripsi," have been copied or borrowed from a charter, as if the writer had an original or a copy before him. In Wood the version is, "Signum Theodori episcopi." Besides the two hides, the grant

(1). The first charter (reputed genuine) signed by Hemgisl is *K.C.D.* XIX, (i. 25), in the year 680; the posterior date, 705, is taken from the list in Gale.

(2). Wood, I, 150; *K.C.D.* *VII. i. 10.

(3). *Councils*, iii. 228.

(4). Page 308.

includes four islands—Beokerie, Godenie, Martynesie, and Andreyesie; whereas the Wood version speaks only of “*duas paruas insulas.*” The scribe in Wood also writes “*Cedualla,*” by mistake, for “*Coenuuealha;*” and there is a suspicious allusion to the possibility of the King’s relapse into paganism,—a thing which is said to have really occurred.

Next comes a grant on the 6th July, 680,¹ in the reign of Centwine (676—685), of three cassates at Lantocal (Street, near Glastonbury), and of two manors or homesteads in the marsh island of Ferramere, the grantor being Bishop Heddi, of Winchester (676—705). This is mentioned, briefly, in Gale,² where the land is described as of six hides at Lantocal; the grant being assented to by King Centwine, and by the sub-King Baldred; and then comes a suspicious phrase—“*quam donationem Cedvalla confirmavit, et propria manu, licet paganus, signum crucis expressit.*” The charter however, has been admitted by Kemble as genuine.

The next example shows some ingenious perversions on the part of the monks, or their historian.³ In this instrument it is recited that Hemgils, the abbot, was appointed by Bishop Heddi, of Winchester, with the consent of King Centwine. This recital is turned by the historian in Gale⁴ into a totally different statement, namely, that Hemgisel (*sic*) was, “*pro suâ fideli conversatione*” (thus far preserving the same phraseology), appointed abbot by the king on the petition of Bishop Heddi, *and of the monks*, and then it goes on—“*eâ tamen conditione, quatinus fratres ejusdem loci habeant jus eligendi et constituendi rectorem, juxta regulam Benedicti*”—not a word of which occurs in the original, though the phrase may be found in the spurious charter, called “The greater Privilege of King Ine,” referred to below. The grant contained in this charter is in 681, by Baldred, subregulus of Wessex, with the consent of King Centwine, of six manentes or homesteads, at Pennard,

(1). Wood, 149 *b*; K.C.D. XIX, i. 24.

(2). Page 309.

(3). Wood, 83; K.C.D. *XX, i. 25, vi. 225.

(4). Page 308.

i.e., Pennard minster, or East Pennard, to Abbot Hemgils. Of this grant a separate script, in identical terms to those in Wood, is at Longleat, and has been fac-similed in the *Ordinance*, vol. ii. In the history in Gale¹ the phraseology of the deed is preserved—"ad supplementum honorabilis Ecclesiæ beatæ Mariæ et ['beati,' instead of] sancti Patricii cum consensu ['et licentiâ' inserted] pontificis nostri Hedde;" and the six hides at Pennard are supplemented by sixteen hides at Logpores-beorh (Montacute), and by a fishery in the Parret. This charter has been marked as suspicious or spurious by Kemble, but it is less open to doubt than some of the others; whilst by the historian in Gale it appears to have been very grossly manipulated.

In the same reign, in the abbacy of Hemgils, comes the West Monkton charter, first published in the *Proceedings* of this Society,² by Mr. F. H. Dickinson. This is not a separate script, but is contained in a paper register relating to West Monkton, preserved at Longleat. The grant is by Centwine, in 682, to Hamgils, of twenty-three mansiones at Quantock Wood, now West Monkton, near Taunton, and of three casates south of the river Tone. It is obvious that the original of this, which, with certain reservations,³ is considered not to have any internal evidence of falsity, must have been known to the writer of the note respecting "Mvnecatone" in Gale.⁴ The same phrases are used—"ad supplementum vitæ regularis in monasterio Glastingabiri, sub Divini timoris instinctu, humiliter largitus sum." But, in addition to the twenty-three hides near the wood, and the three hides "in Crucan," the history includes twenty hides more "in Caric" or "Caru;"⁵ and in the paragraph which describes the grant is interpolated the passage respecting the right of choosing and appointing an abbot according to the rule of St. Benedict, mentioned above.

(1). Page 308.

(2). *Proceedings* for 1882, vol. xxviii. p. 89.

(3). See page 92.

(4). Page 308.

(5). Page 326.

We come at length to the reign of Ine, whose six charters to Glastonbury it is now proposed to examine.

I. The abbot who was in power when Ine "took to the kingdom," in 688, was Hemgils. To him are purported to have been granted by the king, ten cassates of land at Brent, now Brent Knoll. The deed, which comes from the Bodleian cartulary,¹ bears the nominal date 663, which is out of the reign of Ine altogether, and impossible. But the sixth indiction is given, and as Hemgils, according to all accounts, was not living after 705, the only year of the sixth indiction which answers to him, and to Bishop Heddi, of Winchester (676—705), who signs, is 693. A curious circumstance is the mention amongst the witnesses, of Hereuualdus, "*Speculator aecclisiae dei*," *i.e.*, bishop; but there is no bishop of 693, whose name at all resembles Hereuualdus, except Waldhere, Bishop of London. It appears that of this charter there is an entry in the Glastonbury register, preserved at Longleat.² There is nothing against the validity of this deed, except the error in date above mentioned.³ Of this grant there is a curious mention in the history in Gale.⁴ It is stated that in the year 620 (!) Ine gave to Abbot Hemgils ten hides at Brente; but that Abbot "Berthwald," presumably the successor of Hemgils, voluntarily abandoned the property, and sent away the colony of monks that had been established there.

II. Next in order of date comes the grant of liberty or immunity from taxation to the monks of Glastonbury, printed in Kemble⁵ from various sources, and described by the historian in Gale,⁶ as "*Parvum privilegium Regis Ine*." It purports to be of the year 704, and is framed on a common form, similar to that of privileges by Ine to the West Saxon Diocese, of

(1). Wood, f. 201; K.C.D. LXXI, i. 83.

(2). App. to Hist. Commission, 4th Rep., p. 228.

(3). See the note, K.C.D. i. 83, where there is plainly some error. The date, 723, is beyond Heddi of Winchester's era, and impossible.

(4). Page 309.

(5). K.C.D. *LI, i. 48.

(6). Page 309.

the date 26th of May,¹ 704, mentioned above, which is spurious. This deed is also a fabrication, though relied upon by Malmsbury, in his *History of the Bishops*, as genuine.²

III. The third charter of Ine to Glastonbury, is a grant of twenty cassates, on either side of the river Dulting, to Abbot Beorhtuuald.³ The date is 702, the indiction 4. This indiction is wrong; but a date that will satisfy it, falling within the bishopric of Hedda of Litchfield (691—706), who signs, is 706. Another signatory is Beorhtuuald, Archbishop of Canterbury (693—731). The names of the archbishop and of the abbot are spelt exactly alike. That Brihtwold of Canterbury, and Beorhtwald of Glastonbury, were cotemporaries at some date from 709 to 731, we know from the letter above mentioned; but no sixth indiction, later than 702, is admissible in the lifetime of either of the Bishops Hedda, so that the inconsistency of the date and abbot's name is incurable, and this without resort to the Cotton list, which is equally fatal, inasmuch as according to that catalogue, Beorhtwald could not have been abbot before about 727. The instrument, nevertheless, though incorrect as to the name of the abbot in 706, is valuable for its double set of boundaries,⁴ discussed below.

IV. Fourth in order of date comes the Taunton script. It was not known to Kemble, but having been published by the Ordnance Department as above stated, it has been since printed by Mr. Birch.⁵ The text is as follows:—

“✠ In nomine domini dei nostri ihesu christi saluatoris. ea quæ secundum decreta canonum tractata fuerint. licet sermo tantum ad testimonium sufficeret tamen pro incerta futuri temporis fortunam cirographorum sedulis sunt roboranda. quæ propter ego .ini. regnante domino rex .lxu. casatos pro remedio animæ meæ beruualdo abbati uideor contulisse his locorum limitibus designatam. iuxta flumen quod appellatur .tan.

(1). K.C.D. *L, i. 57.

(2). *Gesta Pont.*, page 380.

(3). Wood, 178 b, 171; K.C.D. *XLX, i. 56, vi. 225.

(4). Printed by Mr. De Gray Birch, page 166.

(5). Page 166.

.xx. casatos et alibi in loco qui dicitur pouelt .xx. manentes necnon ex utroque margine fluminis cuius uocabulum est duluting .xx. casatos pertingentes usque ad conuallem qui dicitur corregescumb. ex occidentali uero plaga eiusdem uallis quinque casatos. si quis hanc donationis cartulam augere et amplificare uoluerit auget (*sic*) et amplificet deus partem eius in libro uite. si quis frangere aut inrita facere tyrannica potestate temptauerit sciat se coram christo et angelis eius rationem redditurum .∴ scripta est autem haec singrapha indictione .i.i.i.i. mense iunio anno ab incarnatione domini .d.cc.u. ✠ Ego bercuualdus archiepiscopus consentiens subscripsi. ✠ Ego headda episcopus subscripsi. ✠ Ego ecce episcopus subscripsi. ✠ Ego tyretil episcopus subscripsi. ✠ Ego uualdarius episcopus subscripsi. ✠ Ego egguuinus episcopus subscripsi. ✠ Ego eluuinus subscripsi. ✠ Ego aldhelmus episcopus subscripsi. ✠ Ego daniel plebi dei ministrans subscripsi.”

The size of this document is 16 inches by $7\frac{1}{4}$; the material on which it is written, thin parchment, mounted on muslin, through which an endorsement can be seen, not read. The writing is peculiar, and might be easily identified. It does not look like an original grant to a donee, but has the appearance of a copy. It may have been written as early as circ. 800, but is probably much later.

The exordium is substantially the same as that of No. III above—to the effect that, though speech alone may suffice for testimony, it is better to have the corroboration of a written instrument. This seems to have been a common form in these days. See No. VI below.

As to the date, the indiction 4 is wrong for A.D. 705; and the dominical year should be 706. But with regard to the signing bishops, it is remarkable that they are all in order: Berewald for Canterbury; Headda for Lichfield; Ecce for Durwich; Tyretil for Hereford; Waldar for London; Egguin for Worcester; Elwin for Lindsey; Aldhelm for Sherborne; and Daniel for Winchester. The signatures of Ecce

(Etti), Tyretil, and Waldhere, are later than any appearing elsewhere, but are, nevertheless, quite possible. Indeed, if the original of this script be a forgery, it would seem that the names must have been taken bodily from some genuine deed of 706, which has not survived.

As to the lands and their locality, the grant is of—

- (1.) Near the Tán, twenty cassates.
- (2.) At Poholt, twenty manors.
- (3.) On either bank of the Doultin, reaching to Crosscombe, twenty cassates.
- (4.) On the western side of the enclosed valley, called Crosscombe, five cassates.

(1.) These twenty cassates, near the Tán, are supposed to be part of the West Monkton and other lands above mentioned, granted by King Centwine, and now confirmed by King Ine.

(2.) At “Poholt, twenty manentes” or homesteads. It is possible to find a precise local situation for a place named Poholt, in this way. The charter, numbered V below, is a grant of twelve manentes at a place called Souuig; and the boundaries¹ start from Wilbriht’s path, supposed to be a spot marked “Pave,” in the Ordnance, three quarters of a mile south of Othery church; thence proceeding to the Parret, and following it down to Bridwere’s mere; then striking north to the Cary, and following the Cary up to Hamelondes (Homeland’s) Mere, “on Poholt;” thence south “by line” along the middle of the moor back to Wilbriht’s path moor. Thus “on Poholt” is shown to be the north-east corner of the twelve manentes; and these twelve manentes no doubt correspond to the parishes of Othery, Weston Zoyland, and Middle Zoy, which form an irregular rectangle² assessed in *Domesday* at twelve hides. Thus Poholt is fixed at a point in the “King’s Sedge Drain” (Ordnance, sheet XIX) where the three parishes of Othery, Aller, and Greinton meet. But the name

(1). K.C.D. *LXXIV, vi. 226.

(2). See the *Sowi* of *Domesday*.

Poholt¹ no doubt extends to a considerable distance north of the Cary. In the year 729, and in the reign of Æthelheard, who succeeded Ine, there is a grant of sixty manentes, called Poholt, printed by Kemble,² from Wood I. In this print there is an important error, "Hemgislo" being printed for "Cengislo." The correction, for which we are indebted to Mr. De Gray Birch,³ makes all the names consistent with the date. Mr. Birch also prints the boundaries, which were omitted by Kemble.⁴ There are evidently omissions in this description; but enough remains to show that the land lay north of the Cary, having the boundary of Chedzoy at its south-west corner, and the manor of Cossington on the west. These sixty manors, called "Poholt," must, accordingly, have comprised the whole, or the greater part of, Polden Hill.

(3). Twenty cassates on either side of the "Doulting." These twenty cassates can be no other than the twenty cassates of No. III, which included, as appears by the boundaries, the three parishes of Pilton, Shepton Mallet, and Crosscombe.⁵

(4.) "Five cassates on the western side of the valley of Croscombe." These five cassates seem to be the parish of

(1). "Poholt" may be the root of "Polden" hill; and we may compare "Poltimore," Devon, where the mansion house stands on the west bank of what was once a large bay, caused by the spreading out of the river Clist, and giving rise to the name Broad Clist.

(2). K.C.D. *LXXVI, i. 91.

(3). Cart. Sax., p. 214.

(4). They are as follows:—"Sunt autem territoria istius agelli prefati; habet ab oriente Chalkbrok; ab austro dirimit Carswelle in Cari; et Cari usque in locum quæ dicitur Chedesie; et habet ab occidente territoria que pertinent ad Cosington ab aquilone partem dimidiam paludis."

(5). Here it may be convenient to summarize what *Domesday* has to say about Pilton.

Pilton was held T.R.E. by Abbot Alnod (Ægelnoth), and was assessable to the Dane-gelt at twenty hides. It could be ploughed by thirty ploughs. Thirty ploughs=3600 acres; hence, for the purposes of hidation, at this place, and for this purpose, 180 acres went to the hide.

Besides this, the abbot had land for twenty ploughs, which was never geldable. Hence his ungeldable land was 2,400 acres, or such a quantity as, if geldable, would have gelded for 13½ hides.

Of these 13½ hides, a monk, named Alnod, held one free. This being unusual, is mentioned as being "per concessum regis." There the subject of the ungeld-

North Wootton, which was assessable for five hides at *Domesday*.

The connection between these two charters, III and IV, is very remarkable. Both appear to be of the same date, 706, and the language of each is identical. But whilst IV is a grant of sixty-five "cassates" at different places, III is a grant of the twenty cassates at the river only; and whilst IV has no signature by the King, but is signed by nine bishops, III has the signature of Ine, and of two bishops only.¹

V. The next reputed grant of Ine to Glastonbury, is that of the twelve manentes at Souuig above mentioned. It is printed by Kemble,² from Wood,³ and there seems to be an

able hides is left (Exon. p. 138). They were useless for the purpose of taxation, and there was no occasion to allude to them further.

Then come the *Domesday* members of Pilton. These were :—

	HIDES.
SePETone (Shepton Mallet) assessed at ...	6 2 0
Coristone (Crosscombe) ,, ,, ...	3 0 0
Vtone (North Wootton) ,, ,, ...	5 0 0
Pille (Pylle)	5 0 0
Ralph de Tottesmains' manor (unnamed)	2 0 0
	<hr/>
	21 2 0

The result seems, with little short of absolute certainty, to be, that the ungeldable (13½) hides were in "Pilton itself"—i.e., Pilton parish, and that the geldable (20) hides were the above four parishes, together with Ralph de Tottesmains' manor, which Mr. Eyton (vol. i, 144, 196) seems to identify with Stoney Stretton and Bagbury, now in Evercreech parish (see Collinson); the hidage of the five, however, amounting in detail to 21½ hides.

According to Mr. Eyton, the *Domesday* measurement of all this area is 7348½ acres. From the Exchequer entries, it would rather seem to be 7258½ acres. But, in truth, the Exchequer is erroneous as to the quantity of woodland in the ungeldable portion of Pilton. The Exon., which is the original and correct record, makes it to be 1080 acres; the Exchequer, 720. The true *Domesday* acreage is 7618½, thus distributable.

	<i>Domesday</i> Acreage.	<i>Modern</i> Acreage.
Pilton	3566	5593
Shepton	1250	3572
Crosscombe	582	1432
Wootton	952	1536
Pylle	904½	1095
S. Stretton and Bagbury ...	364	say, 450
	<hr/>	
	7618½	13678

(1). Mr. Birch points out (p. 165 n) a similar resemblance between two grants by Withtred, King of Kent, to the church of St. Mary, at Lyminge.

(2). K.C.D. *LXXIV, i. 89, vi. 226. (3). Wood, p. 191.

entry of it also in the Longleat register.¹ The date is given as 725, of the eighth indiction, which is right. The only signing bishop is Forthere, who was living in 725. There is nothing, therefore, on the face of this deed to condemn it: Kemble, however, has marked it. The expression at the end, “cum multis aliis,” shows it to be an abbreviated copy.

VI. The remaining grant is the often-repeated deed of privileges to Glastonbury, which, though accepted by Malmsbury, who inserts it not only in the *Antiquities of Glastonbury*,² where it is described as “Magnum privilegium Regis Ine,” but in his *Gesta Regum*,³ was questioned by Bishop Stillingfleet, and by Collier,⁴ marked as spurious by Kemble,⁵ and pronounced by Thorpe⁶ to be a “glaring monkish forgery.” The date, 725, and signatures are wholly irreconcilable; but the most astonishing thing is, that any one could for a moment have put faith in a document which makes King Ine speak of a Bishop of Wells—the see of Wells not having been founded until A.D. 909, or 184 years after Ine’s abdication.

The king purports to forbid the bishop (not at first specifying any diocese), by the most solemn interdiction, either in the church of Glastonbury, or in the churches subject to it, namely, Souuig, Brente, Marlinge, Scapeuic, Strete, Budcaeth, and Piltun, or in their chapels, or in the islands, on any occasion whatever, to set up his bishop’s chair, or to celebrate mass, or to consecrate altars, or to dedicate churches, or to issue ordinances, or to dispose of anything, unless invited to do so by the abbot or by the brethren. Then the instrument goes on to assign out of the possessions of the abbey two residences, one in Poholt, the other in Pilton, to which the bishop may resort. But not even in these places, unless detained by bad weather, or bodily sickness, or unless invited by the abbot

(1). *Hist. MSS. Report*, as above.

(2). Gale, p. 311.

(3). *Gesta Regum*, i. 36, p. 50.

(4). Hearne, p. 29.

(5). K.C.D. *LXXIII, i. 85.

(6). *Dipl.*, p. 17.

or by the brethren, is he to pass the night, and then only accompanied by three or four clergymen. It then proceeds: "Let the same bishop provide that he, together with his clergy who are at Wells (cum clericis suis qui Fontaneto sunt), do every year recognise his mother—namely, the church of Glastonbury—by an office of prayer (letania) on the Monday after Ascension Day." That the writer of this passage had in view either a bishop of Sherborne or a bishop of Winchester is incredible; the instrument is plainly a fulmination against the bishop of Wells, and no other, and the writer, who must have lived after 909, overlooked the anachronism involved in his fabrication.¹ The arrogant style of this composition, and the minute precision of the forbidding clauses, are far in advance of ordinary compositions of the year 725, and indicate the hand of a zealous and determined champion of the claims of the monastery.

The reputed grants of privileges to Glastonbury by Kings of Wessex are mainly five: namely, by Ine, as above, in 725;² by Cuthred, in 744;³ by Eádmund the Elder, in 944;⁴ by Eádgár, in 971;⁵ and by Cnut, in 1037.⁶ All are spurious; but there is nothing much resembling the Ine grant, until we come to that of Eádgár, in 971, when Dunstan was archbishop. It may, we think, be safely affirmed that no one could have constructed the deed of gift by Eádgár, in 971, without having that of Ine before him. For example, whilst Ine's so-called grant purports to forbid the bishop of Wells from dedicating

(1). Ine is said to have built at Wells, in 704, a church, dedicated to St. Andrew. Then there is a reputed grant of lands to Wells, by Cynewulf, in 766 (K.C.D. *CXV, i. 141, iv. 379; Birch, p. 283); and in 909 comes the Bishporic.

(2). K.C.D. *LXXIII, i. 85.

(3). K.C.D. *XCIII, i. 112.

(4). K.C.D. *CCCC, ii. 252. This was in Dunstan's time as abbot. The language is moderate, as compared with the above. Wulfhelm, bishop of Wells, appears amongst the signatories. This is the document which, according to the version in Thorpe, Dipl. p. 187, was written in letters of gold in the book of Gospels, called the *Text of St. Dunstan*, preserved in the church at Glastonbury.

(5). K.C.D. *DLXVII, iii. 67.

(6). K.C.D. *DCCXLVII, iv. 40.

churches at all within the prohibited district, Eádgár's charter relaxes the rule, and says, "Dedicationes uero aeclesiarum si ab abbate rogatus fuerit, Fontanensi episcopo permittimus." This looks like a reference to the former grant. It follows, unless Eádgár's grant be a composition of a later date than it professes to bear, that Ine's charter of privileges must have been fabricated between 909 and 971. The date of the Peterborough forgeries, according to Kemble,¹ was 960.

That the district over which peculiar jurisdiction was claimed for Glastonbury by these spurious grants varied from time to time, is another remarkable circumstance. In the charter of Ine, anno 725, it consists of the seven above-mentioned manors—Sow, Brent, Merling, Shapwick, Street, Budcaeth, and Pilton. In Eádgár's grant, in 971, it includes five only—Brent and Pilton being omitted. All seven were certainly in the hands of the abbot at the date of *Domesday*. In Hen. II's charter of 1185, the first-named seven churches are mentioned, with one exception, namely, that Brent is omitted, and Dicheseat substituted for it. It is stated, however, in Archer's notes to Hearne's edition of *Adam of Domesday*,² that the seven churches claimed by the abbot and monks of Glastonbury really were, St. John's of Glastonbury, Meare, Street, Butleigh, Shapwick, Sow, and Marlinch; Pilton and Ditchheat having become the property of the church at Wells. The seven formed what was until lately, if not still, called "The jurisdiction of Glastonbury."

The above completes the series of King Ine's extant charters; but other grants are mentioned by the historian in Gale. During the abbacy of Berwald, it is said, there was a grant to Glastonbury of half a hide at Exford, with a fishery.

No charter is extant of Doulling, but William of Malmsbury, in his treatise on the bishops,³ states incidentally that it

(1). *Codex*, Intr., p. xvi.

(2). Vol. i. 229—231

(3). *Rolls*, Ed., p. 382.

was given to Glastonbury by Aldhelm; and in Gale,¹ the grant is said to have been made during the life of Abbot Burhwald (702—712). The writer seems to have seen the charter, from his quotation of the phrase, “Ego Adelmus hanc scedulam scripsi.” Aldhelm died at Doultong, on the 31st of May, 709.² The questions arise, first, as to how Aldhelm became possessed of the land at Doultong; and next, if it were his to give, why he did not bestow it upon his mother church of Malmsbury, or upon his own episcopal church of Sherborne. Possibly Doultong was given by Ine to Aldhelm for life, and, “after his day,” to whomsoever he, Aldhelm, might will it, with an implicit reservation in favour of Glastonbury.

Then follows³ mention of a grant of seventy hides at the island of Wethmor or Wedmore, by Bishop Wilfrid, to whom they had been given by King Centwine (676—685), who drove the Brit-wealas to the sea in 682, and in the same year, gave West Monkton to Glastonbury, as above stated. Wilfrid’s visit to Wessex, mentioned by William of Malmsbury,⁴ was followed very soon by his elevation to Selsey. Wilfrid is also said to have given Glastonbury one hide at the village of Cliwere.

Although the charters mention no abbot after Berwald or Burhwold in Ine’s reign, the history in Gale gives two others—Aldbeorth, who succeeded in 712, and Atfrith, or Echfrid, who followed in 719. To the former, Forthere, of Sherborne, is said⁵ to have given one hide at Bledahit (Bleadon?), and to the latter Ine is said to have given, in 719, one hide, together with a fishery in the Axe; and lastly, an abbess, named Bugu or Bucga, gave four hides at Ore.⁶

(1). Page 309.

(2). For an account of Aldhelm’s death, as given in Malmsbury’s book on the bishops, see Appendix IV.

(3). Gale, p. 309. (4). *De Pont.* p. 232. (5). Gale, p. 310.

(6). The date of this lady’s floruit was from 720—755, as appears from Boniface’s letters. She is described, Jaffé, p. 279, as “honorabilis abbatissa.” The site of her convent was, perhaps, Withington, in Gloucestershire. See K.C.D. LXXXII, i. 98; *Councils*, iii. 338.

This ends the list of Saxon grants to Glastonbury down to the death of Ine's successor, Æthelheard, if it be added that the queen of the latter, named in Gale¹ Kedeswita, made a gift of five hides at Brumanton (Brompton Regis²).

In order to ascertain the boundaries of the "twenty manentes on either bank of the river called Duluting" of the Taunton document, recourse must be had to the boundaries of the "twenty cassati on either side of the Dulting," as they appear in the above-mentioned grant of A.D. 705. These boundaries, as has been observed, are repeated in Wood,³ evidently from the same survey. The former version, seemingly the better of the two, is as follows:—

(A) "Of driganhurste (1);

And lang pilles (2);

Thanen on than alten giran (3); and so

On ruanleighe on than olde herewey (4); so

Vp andlang hundesbires bitwixe douningleighe (5);

Thanen on crichhulle (6); and so

Bi line bitwixe abingleighe (7); so

On doulting streme (8);

Vp and lang ott uinterwelle (9); of than welle

On lindescombeleighe (10);

On the righte honde to stanleighe (11); and

Vram thanen on croppanhulle (12); and so

Endelang dich on tridanleigh (13) mediward;

Thanen on right on middan merkesburi (14);

Thanen endlang waies on renmere (15);

Thanen est right enlang pathes on the olde fosse (16);

Endlang fosse suð on pil (17);

A doune bi pille on lintone (18);

(1). Gale, p. 326.

(2). Several items of the properties mentioned in the summary, in p. 326 of Gale, have not been discussed, the localities being unknown to the writer, as, for example, Ine's grants of twenty hides near "Famer, scilicet Liuig," and of twenty hides at "Rouelt;" and Æthelheard's grant of ten hides at "Torric" which reads like "Torridge" in Devonshire, a manifest impossibility.

(3). Wood, I. ff. 171, 178 b.

Thanen suthe op on pennard (19); and so

Bi wittraman west to weie (20);

Enlang weies eft on pil (21)."

These boundaries will be found to correspond in the main, but irregularly, with the modern boundaries of the parishes of Pilton, Croscombe, and Shepton, taken in a ring fence.

Outside of this area, to the west, lies the parish of West Wootton; and of this manor there is preserved a grant by King Eádmund (the Elder), in 946, to his thegn Æðelnoð, in perpetuity, on the condition of his rendering yearly on St. Martin's Day (11th Nov.), to the "old church" of St. Mary, at Glastonbury, five gallons of beer, and one of hydromel; thirty loaves of bread, "with the condiments pertaining thereto;" and five bushels of corn, together with ecclesiastical services, when demanded—being probably a liability to contribute labour and materials towards the buildings of the abbey. The rendering of these rents and services is enforced by stringent penalties, and it is provided that in case of forfeiture by default of the grantee or his successors, the land shall revert (not to the King, but) to the monastery of Glastonbury, "because it is of the perpetual inheritance of the said church." At the end of the list of signatures (which is not perfectly accurate¹) comes this remarkable paragraph, "Ego Dunstan abbas nolens, sed regalibus obediens uerbis, hanc cartulam scribere iussi"—"unwilling, but obedient to the king's command." The deed is marked as doubtful, but it represents what seems to have been a real transaction. The king makes a grant to his thegn Æðelnoð, and requires the instrument to be prepared at Glastonbury. Dunstan, the abbot, accordingly does this,—reserving the services,—but protesting throughout that the act is a usurpation of the rights of the Church. In the margin of the original are the words "Hec cartula est sub titulo pitancerie Glastonie"—"this

(1). Wulfstan signs as archbishop, and he was Archbishop of York. Then Oda, who was Archbishop of Canterbury, and should have come first, signs, but as bishop only.

charter is under the heading of the "pittance," *i.e.*, dole of food—of or for Glastonbury." The following are the boundaries¹ of this manor, according to a recent examination:—

(B) "Of cleiian hithe on yone mide mestan thorn (*a*);

Bi thyythe to landscharleighe (*b*);

on wormester ist (*c*);

And lang ifre on wormesleighe welle (*d*);

Yanen on ya vor saide ake (*e*) on humberwe stede;

Of yere ak on tha tyo sirsas (*f*);

Thanen on ða eorð briste (*g*); and

Thanen on ruwanleighe on than ealde heie rewe (*h*);

Thanen on than schiren mor (*i*) midward; and soa

West after streme (*j*) betwixe bradan mode and driganhurste; soa

Forth bi suthene herthine on tectan staples (*k*);

Thanen on clethan hithe on than midde mestan thorn."

Comparing (A) and (B), it will be seen that stations 2, 3, and 4, of (A) correspond with *j*, *i*, and *h*, of (B); one line going northwards, the other southwards. This assists considerably in the identification.

Taking (A) first, Drighanhurst (dry thicket) is a name given, seemingly, to a tract of land extending along the north side of Whitelake (as the Pylle stream is here called), from Whitelake bridge to the point where the road over Steanbow crosses the same Pylle stream. At the last-mentioned point (1) the boundary begins. Thence it follows Pil (the Pylle stream), down to the first-mentioned point (2), namely, Whitelake bridge. Then it strikes across the old moor (3), (*gyru*, *gyrwes*—a marsh), in the direction of North Wootton church, the modern boundary here being much inflected and indented by additions to the parish, consisting of intakes or allotments from the moor. Thence it proceeds along Ruanleigh (Rowleigh—the rugged leigh or valley), along the old hereway (military road). Ruanleigh can be no other than the

(1). Wood, I. 177; K.C.D. *CCCCVI, ii. 260, vi. 232.

vale in which the village of North Wootton stands, and the hereway must be the road leading from the east of Wootton church to Worminster. Here, therefore, the boundary of (A) has in modern times become considerably deflected towards the east. It now passes along the eastern watershed, instead of up the valley itself. The boundary (A) then turns to the east, and skirts the south and east of a round hill, marked "Currington" in the map. For this name no authority has been found; the modern name of the hill being, it seems, "Wormster slade." This curve is given as the "hundesbires" (hounds' dwelling?—kennel), followed by the Dunningleigh (5) (dark valley?), and leading to Crichhulle, which survives as Churchill; the farm house lying at the junction of Croscombe, Worminster, and Dinder parishes. From this farm the boundary (now of Croscombe) proceeds "by line," *i.e.*, by a straight line, betwixt or through the middle of Abbingleigh (*sc.*, Abbanleigh, the abbots' leigh) (7), to the Dulting stream (8). Abbingleigh seems to have been changed to Mapleaze, the modern name of the field through which the line between Croscombe and Dinder passes. The boundary (A) now ascends for a short distance by the Dulting stream, as does that of the modern parish as far as to Winter Well (9), a name no longer to be found. Thence it goes north, up Lindescombe leigh (10), on the right hand to Stanleigh (11), or, according to the other version, "on the stanleie wall"—also non-extant. Thence it proceeds to Croppanhulle (12) (crop, croppes, signifying the col, cima, or neck of a ridge), now Crapnell, and so along the dike to Tridanleigh (13), (the trodden? getredan, lea), along the middle of it, and thence straight through the middle of Marksbury,¹ now Masberry Castle, the conspicuous entrenchment on Mendip. From the earth-work the boundary follows a "way," now almost effaced, to Renmere (15) (hrefn, or raven, mere), a pool which has been drained, but which, in

(1). The form, Marksbury, seems to have continued down to the middle of the 13th century. See *Addl. MSS.*, 22,934, fol. 75.

1662, was a marshy bog, called Row-mear, and is now known as Rodmer, or Roadmead. Thence the line proceeds "along the path" (now a broad high-road, on which are marked in the map the modern villages of Little London and Oakhill), to the old Foss road (16); and this road it follows down for nearly five miles southwards, to Pil (17), namely, the upper or more northerly (1) branch of the Pylle stream. This stream it follows westwards, to Lintone (18) (the town of the lime or linden), somewhere near the ford on the *lower* Pil (the two branches running here very near each other), below and west of Cockmill Farm. Thence it proceeds southwards, up on Pennard (19) Hill, skirting the broken land at the back and south of Pilton Park Farm; stretching westward, past the wittraman (wyrtruman) or root-stump, to the "way" (20) leading down to Stean-bow; which road it follows back to Pil, where it began. Here, it will be noticed, there is a difference between (A) and the modern boundary. The Drighanhurst of (A) is on the Pil, at the road; the corresponding point of the modern boundary is where the letter "t" in "Westholme" is engraved on the Ordnance sheet, No. XIX.

Next taking (B), it is considered that "cleiian hithe" (clay hide?) "at the midmost thorn" is to be found at a point (*a*), in the meadows half-way between Herdy Gate and Barrow Farm ("Herdy" being evidently "hreódic," reedy, from "hreód," a reed—the older form of "sedge" moor). Along "the hide," it is presumed, the road passed to Lancherleigh (*b*), now pronounced Lanchley Cross, and thence to Wormester "ist" (*c*) (? "yrfe"—hereditary land), and along "ifre" (? "yrfe"), to Wormsleigh well (*d*). This seems to have been a well on the south slope of the hill, marked Twine Hill in the Ordnance. Thence on the "vor saide" oak on "humberwe stede." If "humberwe" be a contraction of hundesberwe, then we seem to have a word signifying "hound's grove." From the oak, the line passes to the two "sirsas" (*f*). Whatever the two "sirsas" may have been, there can be no

doubt that they are represented by the modern Twinyeos, or Twinoze—the local name for the eastern part of the Twine Hill. Thence the line arrives at the earth “briste” (*g*), signifying the “bersting” or breaking of the land at the steep eastern extremity. Thence the boundary comes down to Ruwanleigh or Rowley, on the old hereway (*h*), the exact expression which occurs in (A), showing one of the points of coincidence of (A) and (B); thence moving across the clear, “sheer,” moor, in the middle of it (as before “across the old moor”), and so west after, *i.e.* along, the stream flowing between Broadmead and Drighanhurst. This stream is the Red Lake, which, in its colour, caused by flowing through red marl, offers a contrast to its neighbour, the White Lake, which traverses differently coloured strata. Having reached White-lake bridge, the line proceeds by “suthene herthine,”—words which need an interpreter,—to tectan staples(*k*). “Tectan,” again, is a strange form. Kemble prints “testan.” Thence the line returns to its starting point.

In the accompanying map, the *ancient* boundary (A), is marked by a red line; and the *ancient* boundary (B), by a blue line; the yellow and green merely follow the *modern* boundaries of Shepton Mallet and Crosscombe, members of the ancient Pilton.

APPENDIX I.

ABBOTS OF GLASTONBURY.

A.

B.

C.

BRITISH ABBOTS.

460 S. Patricius
 S. Benignus
 Worgret
 Lademund
 Bregored

SAXON ABBOTS.

	670	Beorthualdus	X	Beorthwald	670—680
Hemgils	680	Hemgisel	XXV	Hemgisel	680—705
Weahlstod	705	Beorualdus	VII	Beorwald	705—712
Coengils	712	Aldbeorth	VII	Aldbeorth	712—719
Beorhtwald	709	Atfrith	X	Atfrith	719—729
Cealdhun	709	Kemgisel	XVI	Kemgisel	729—743
Luca	743	Guban	II	Guba	743—744
Wiccea	744	Ticcan	VI	Ticca	744—752
Bosa	746	Cuman	II	Cuma	752—754
Suðeard	754	Walthun	XXXII	Walthun	754—786
Herefyrð	762	Tumberthe	IX	Tumberth	786—795
Hunbeorht	765	Beadulf	VI	Beadulf	795—802
Andhun	802	Muca	XXII	Muca	802—804
Guðlac	824	Gutlac	XXVII	Gutlac	824—850
Cuthred	840	Ealmund	XVI	Ealmund	850—866
Ecgwulf	849	Hereferth	XIV	Herefyrth	866—880
Dunstan	820	Stiward	XI	Stiwerd	880—905
Ælfrie	905	Ealdhun	XXXIV	Ealdhun	905—927
Sigegar	927	Ælfrie	XIV	Elfrie	927
Ælfweard	940	Dunstan	XXII	Dunstan	940
	962	Ælwardus	X	Elfward	962
	972	Sigearus	XXVIII	Sigar	972
	1016	Beorhtred	XVI		
	1034	Brichtwi	X		
	1053	Ædelward	XXVI		
	1082	Ægelnoth	XXIX		

NORMAN ABBOTS.

B.

1100	Turstinus	XIX
1116	Therlwinus	XIX
1125	Sifridus	VI
1171	Henricus	II
1180	Robertus	
1190	Henricus	
1219	Willelmus	IV
	Robertus	
1234	Michael	

A—Cotton list ; MS. Cott. Tib., B. v., pt. 1, f. 23 b ; A.D. 990.

B—List in *William of Malmsbury's Antiquities of Glastonbury*, Gale iii. 328 ; A.D. 1120—1142.

C—The same corrected ; from *Memorials of St. Dunstan*, by the Bishop of Chester, Intr., p. lxxxii (note).

APPENDIX II.
TABLE OF CHARTERS OF KING INE.

	DATE.	K.C.D. (1)	DONEE.	LOCALITY.	SOURCE.	CART. SAX. (1) No. PAGE.
I.	688—690	*31 ; i. 34	Abingdon	Bradfield Besselsford ² Streatley (Berks)	Cott. Claud. (3) c. ix. 102 <i>b</i>	74 108
II.	699 July 5	*45 ; i. 52 iii. 374	Abingdon	The same, with Appleton (Berks)	<i>Ib.</i> , c. ix. 102 <i>b</i> B. vi. 6 (4)	100 145
III.	699	*46 ; i. 53	Abingdon	173 cassates, near Abingdon	<i>Ib.</i> , B. vi. 6	101 146
IV.	701	*997 ; v. 39	Winchester	Alresford (Hants)	Cod. Winton. (5) f. 18 <i>b</i>	102 148
V.	701	48 ; i. 55	Malmesbury	45 cassates Garsden ^v Corsaburn ^{xx} The same ^x Redburn ^x (Wilts)	MS. Lansd. (6) 417, f. 3 <i>b</i> ; W. Malmes. <i>Gest. Pont.</i> , p. 380	103 149
VI.	704 May 26	*50 ; i. 57	The West Saxon Diocese	Privileges to Churches and Monasteries	MS. Lansd. 417, f. 3 <i>b</i>	108 157
VII.	[663 July 20] for 693	71 ; i. 83	Glastonbury ^{..} (Abbot Hemgils)	Brent 10 cassates	MS. Wood, I. 201 Longleat ⁽⁷⁾ (9)	121 177

VIII.	704	*51 ; i. 58	Glastonbury .. (Abbot Hemgils)	Privileges	MS. Ashmole, (8) 790, f. 60 <i>b</i> MS. Wood, I. 67	109	159
IX.	[702 for] 705	*49 ; i. 56 vi. 225	Glastonbury .. (Abbot Beorhtuuald)	On either side of the river Doulting xx cassates	MS. Wood, I. 178 <i>b</i> , 171 Longleat	112	165
X.	705	0 0	Glastonbury .. (Abbot Beruold)	Nr. the Tán xx At Poholt xx On either of the Doulting xx West of Cross- combe Valley xx cassates	Taunton Museum.	113	166
XI.	725	*73 ; i. 85	Glastonbury ..	Brent x Sowy xii Polton xx Doulting xx Blendenei i cassates and PRIVILEGES.	MS. Ashmole, 790, f. 63 Wood, I. 66 <i>b</i> MS. Reg. 13 d. ii. f. 7 <i>b</i> (10) Cott. Vesp. d. xxii. f. 69 (11)	142	247
XII.	725	*74 ; i. 89 vi. 226	Glastonbury ..	Sowy, xii manentes	MS. Wood, 191 Longleat	143	210

- (1). K. C. D. Kemble, Codex.
 (2). *Cart. Sax.* De Gray Birch, *Cartularium Saxonicum* (in course [of publication.]
 (3). MS. Cott. Claud. c. ix. An Abingdon cart., 13th cent.
 (4). *Ib.* b. vi. An Abingdon cartulary ; to end of 12th cent.
 (5). Cod. Winton. Vellum cart. of Winchester, *Add. MSS.* 15,350.
 (6). MS. Lansd., 417. Vellum cartulary of Malmesbury.
 (7). MS. Wood, I. Cartulary of Glastonbury in the Bodleian.
 (8). MS. Ashmole. Contains charters of Glastonbury.
 (9). Longleat. Cartulary of Glastonbury at Longleat.
 (10). MS. Reg., 13 d. MS. of Malmesbury, *De Gestis Regum*.
 (11). Cott. Vesp. d. xxii. Vellum MS. of Malmesbury, *De Antiq. Glastoniæ*.

APPENDIX III.

List of reputed Charters to Glastonbury, down to, and including the reign of Æthelheard; A.D. 725-740.

A.D.	K.C.D.	DONOR.	DONEE.	LOCALITY.	SOURCE.	CAR. SAX. No. PAGE.
670	*vii; i. 10	Cenwalh	Abbot Beorhtwald	Ferramere, i cassatus.	Wood, I. 150 ..	25 45
[680 for] 677	xix; i. 24	Bishop Hedde	Abbot Hengisl	Lantocal, iii cassati; Ferremere, ii manentes.	Wood, I. 149 b ..	47 74
681	*xx; i. 25 vi. 225	Baldred	Abbot Hamgils	Pengerd, xii (or vi) manentes.	Charter at Longleat .. (Ordnance Survey, A.S. MSS., Part II.) Wood, I. 183	61 96
682	0 0	Centwine	Abbot Hamegils	West Monkton, xx mansiones S. of the r. Tan, iii cassati.	Register of W. Monkton at Longleat. (Som. Proc. for 1882, viii. 89.)	62 97
[663 for] 693	*lxxxi; i. 83	Ine	Abbot Hengisl	Brente, x cassati.	Wood, I. 201 .. Cartulary of G. at Longleat	121 177
704	*li; i. 58	Ine	Abbot Hengisl	Privileges ..	Wood, I. 67 .. Ashmole, 790, 60 b Add. MSS., 22,934, f. 13 (Gale, iii. 309) Cott. Vesp., d. xxii. 62	109 159

[702 for] 706	*XLIX; i. 56 vi. 225	Ine	Abbot Beorhtwald	On either side the r. Duluting, xx cassati.	Wood, I. 178 b, 171 Cartulary at Longleat.	112	165
[705 for] 706	0 0	Ine	Abbot Berwald	Nr. the r. Tan, xx cassati; Pouelt, xx manentes; On either side r. Duluting, xx cassati. W. of the Corregescumb valley, v cassati.	Taunton Museum (Ordnance Survey, A.S. MSS., Part II.)	113	160
725	*LXXIV; i. 89 vi. 226	Ine	The community in Glastingburi	Souuig, xii manentes.	Wood, I. 191 Cartulary at Longleat.	143	210
725	*LXXIII; i. 85	Ine	The Church in Glasteie	Brente, x hides; Souuig, xii hides; Pultun, xx hides; Duluting, xx hides; Blendeneie, i hide; and PRIVILEGES.	Wood, I. 66 b Ashmole, 790, 63 <i>Gesta Regum</i> , p. 51 <i>MS. Reg.</i> , 13 D. ii. 10 b <i>Add. MSS.</i> , 22,934 (Gale iii. 309) Cott. Vesp., D. xxii. 69 Thorpe, <i>Dipl.</i> , p. 17	142	207
729	*LXXVI; i. 91	Æthelheard	Abbot Cengisl	Pouholt, lx manencia.	Wood, I. 152	147	213

APPENDIX IV.

*WILLIAM OF MALMSBURY.**

A.D. 709.

It was at a village in Somersetshire, called Dulting, that he (Aldhelm) laid aside the garment of the flesh,—a place which he had already bestowed upon the monks of Glastonbury,—reserving to himself the usufruct for his life. The building that witnessed his departure was a wooden church; into which, when breathing his last, he had directed that he should be carried, in order that he might expire more easily. So at least the inhabitants to this day, after successive generations, affirm. To this church, when it had been rebuilt in stone by a certain monk of Glastonbury, and was being reconsecrated, there came a woman, blind in both eyes, mingling with the assembled crowd. Inspired by ardent faith, she broke through the ranks of the multitude, loudly demanding to be led to the altar—in the unhesitating belief that the Saint whose church was being consecrated, having been wont throughout his life regularly to bestow alms on widows, would cure a widow of her blindness. The earnestness of her faith brought down aid from heaven—a clear light filled the sightless eyeballs. A miracle performed in presence of the people could not fail to become famous; especially as the woman herself, and the fact of her infirmity, were widely known in the neighbourhood. It is certain that in the same church is a stone on which the Saint was sitting when he died, by the washings of which many sick persons are known to have been restored to health.

The blessed (*beatus*) Ecgwin, bishop of Worcester, was informed by a radiant vision from heaven of the death of his brother bishop, and was commanded to repair to the place. Sped on his way by the instigations of sorrow and love, he soon arrived at Dulting, and having offered prayers for the repose of the soul of Aldhelm, directed his body to be removed to Malmsbury. Through the assurance of his (Ecgwin's) faith, the tears of the mourners were dried, and he himself expedited the work by taking part in it with his own hands. The blessed remains were accordingly borne forth, accompanied by a great crowd of leaders and followers—he who was nearest to the body esteeming himself the most fortunate. To a vast number of those who accompanied the bier, a sight of it, even if they could not touch it, was a consolation; for their grief was assuaged by the form and appearance of the dead body, and their eyes were gratified by observing that the graces of the figure were still preserved, and were permanent.

**De Pont.*, v. 228; *Rolls Ed.*, p. 382.

The funeral procession was remarkable for this—that in consequence of the abundance of miracles that were wrought on the way—stone crosses were erected at intervals of seven miles, to which many persons afflicted with incurable disorders, approaching with faith, obtained through the vehemence of their supplications, a speedy cure. Thus the evidence of their virtues subsists to this day. Nor should what I say surpass my readers' belief, considering that there were almost as many witnesses of the miracles as there were inhabitants. As the most trustworthy evidence, I cite the blessed Egwin himself, who in a certain writing of his, after mentioning other matters, says:—"Two years afterwards, the pious bishop Aldhelm departed to the Lord. I, being informed of the fact by revelation, having assembled my brethren and servants, informed them of the death of the venerable father; and proceeding with haste, arrived at the spot where his holy body lay, situated nearly fifty miles beyond the monastery of Malmesbury. Thence I conducted it to its burial, and entombed it with honour—directing that at every place where the sacred corpse had rested on its way, there should be erected figures of the holy cross." The crosses are all in existence, and not one of them shews any sign of age. They are called "*biscepstane*," that is, Bishop's stones—and one of them is to be seen at this moment in the monks' cloister (at Malmesbury). This reminds me that I should not omit to relate the story which is told respecting "*Biscepes true*" (Bishop's trow or tree). This is a village in a valley, whither Aldhelm's zeal for preaching is said to have conducted him. It happened that whilst he was scattering the seed of doctrine amongst the people, the ashen staff which he used in walking was stuck into the ground. Immediately, by Divine power, it increased to a marvellous size, became vitalized by juices and clothed with bark, and put forth a covering of leaves and a comely growth of branches. The bishop, who was intent on his discourse, having been apprised by the shouts of the people of what had taken place, adored the miracle, and departed, leaving the gift of God in their keeping. It is said that from this parent stem many ash trees have sprung—so that, as I have said, the village is commonly called "*Bishop's Trees*." The above I do not vouch for as a fact, but have related it lest I should be charged with having omitted anything. The rest I can establish either by writings, or by things preserved in ancient repositories, nor have I, as God is my witness, added anything of my own, unless a word has escaped me from a desire to give a more ornamental polish to my style. The fame of Aldhelm needs not falsehood to support it. Many as are the things related of him that are of doubtful authenticity, there are as many which are never called in question. By innumerable signs of his that are still recorded, the sanctity of his life in the past is made manifest to the men of the present day.

William Strode:
One of the Five Members.

William Strode:
Colonel in the Parliament Army.

BY E. GREEN, F.S.A. (*Hon. Sec.*)

THOSE who at any time have studied the history of the Civil War, must be familiar with the name—William Strode—and also, after but a short reading it must be clear that there were two of the name prominently active at the same time, so closely contemporary, so similar in character and political action, that it becomes difficult—in fact, impossible—to distinguish them. This confusion has been noticed by the historians of the time, but not explained. One of these two is known as “Colonel,” the other as “One of the Five Members;” and whilst the life of the one claims really a national interest, the life of the other has an especial interest for us in Somerset. But the question has been whether William, the Colonel, was also William, One of the Five; and whether the William found elected to the Parliament of 1640, was the same William as found in the Parliament of 1629; and whether the William of 1629 was the William active in Somerset against ship-money, in 1637; and further, as a point of interest for us, which of the two was a Somerset, and which a Devonshire, man.

There were at this date Strodes in Somerset, in Devon, in Dorset, in Wilts, in Kent, in Sussex. Five at least contemporary in these counties about this time bore the name of William; one being of the Middle Temple, and another the Public Orator at Oxford. For the present purpose, by con-

fining attention to certain Members of Parliament connected with Devon and Somerset, the number for notice is reduced to two.

In the Parliament of 1623–4, 21st James I, Sir William Strode represented the county of Devon, and William Strode, gentleman, the borough of Beeralston. In 1625, 1st Chas. I, the Parliament met in May, and was dissolved in August. Here again William Strode, gentleman, appears for Beeralston, but with Sir William Strode now for Plymouth. In 1626, William Strode, gentleman, is again elected for Beeralston, the return being dated 18th January, with now William Strode, Esq., for Plymouth, the return being dated 24th Jan. Here then are two Williams in the same Parliament; one being distinguished as esquire, the other as gentleman.

In 1628, 3rd Charles I, William Strode, gentleman, was again returned for Beeralston, but fortunately no other Strode appears in the list, as to this Parliament, which met on the 17th March, 1628, and was dissolved on the 10th March, 1629, attention must be directed.

On the death of Queen Elizabeth, and the accession of James I, a heavy cloud seemed to hang over the hitherto most prosperous nation, for the change was by no means acceptable. James soon perceived that he had to deal with a House of Commons, and that his ideas of the royal prerogative would be opposed from that quarter. The conduct of his successor, his son Charles, soon drew out this possibility, as he, endeavouring to govern by Proclamation instead of the Law; to impose taxes by his sole will, and to tolerate the hated popery, raised such angry and determined feelings that a section of the Parliament combined to stop him. On endeavouring to impose, by his own authority alone, the tax of tonnage and poundage,—or, as we should say, Custom House dues,—the combination in opposition drew up a documentary protest, which it was decided should be read in the House. This being known, the King sent an order to the Speaker to prevent it; and before

a vote could be taken, he was to quit the chair, and adjourn. The question coming on, on the 2nd March, 1629, a scene ensued which has perhaps never been paralleled. When the Speaker announced that he could not hear the paper read and was about to leave the Chair, he was seized and forcibly held down by two Members who had placed themselves one on either side for that purpose. At this point Mr. William Strode, "in the heat of disobedience," rose, and demanded to have the paper read. The keys of the House being seized, the doors were locked, so that whilst none could get out, a messenger, sent to stop the proceedings, could not get in. Mr. William Strode then proposed that all who were for the paper should stand up, and in this way it was voted and passed.¹ The immediate consequence was that the offending Members were ordered, 4th March, to attend before the Privy Council as prisoners. Four did so, but with them there was no William Strode.²

The Parliament was then dissolved, 10th March, 1629, and it must be remembered that no other met for eleven years, not until the spring of 1640.

Besides a Proclamation against these "scandalous proceedings," "most wicked and dangerous to the kingdom," there came out another (20th March) for the apprehension of Wm. Strode, gentleman, son of Sir William Strode, of the county of Devon, Knt., for seditious practices and crimes of a high nature. The Proclamation declared that the messengers had used much diligence to find him, but in vain, and threatened "such punishment as should be just for so high a contempt," on any who presumed to harbour or entertain him.³ This seems to have produced him, and by warrant under the hands of twelve of the Privy Council, 2nd April, he was committed to the King's Bench, and there kept a close prisoner, without

(1). *Carte. T.*, vol. iv. 203.

(2). *Parliamentary Register*, vol. ii.

(3). *Collection of Proclamations*, Charles I, No. 106.

even the solace of pen, ink, and paper.¹ In the usual "course of law" he would have been bailed the following day, but by command of the King the keeper of the Tower was directed "to take the body of William Strode from our prison of our Bench," and keep him until further ordered.² Consequently, when the prisoner was called on to appear for trial and sentence he could not be produced, the keeper of the Bench stating that he had been removed the day before to the Tower, by the King's warrant. Thus there could be neither bail, trial, nor sentence. There seems to have been serious discussion on this proceeding, as three draft letters, all differing, are extant. The King wrote to the Judges, pretending to explain that "he had not removed the prisoners with intention of declining the course of justice, but that they should remain in custody until they carried themselves less insolently and unmannerly; and because he found it not safe to bring them to the Bench, lest they be delivered."³ The Lieutenant of the Tower, in acknowledging that he had received the body of William Strode, asked whether he should be kept a close prisoner, or only safe with liberty to speak, "whereby his confederates would be known." As close prisoner his charges fell upon the Crown, "it would be equal punishment" suggested the Lieutenant, "to make him pay for his own diet."⁴ Perhaps this latter reason was influential, as it was ordered that he be kept "safe, not close,"⁵ and that he might have the liberty of the Tower and use the walks and leads for his health's sake. The Lieutenant was also ordered, December 28th, that "from henceforth you make no demands upon us either for diet, lodging, or washing; leaving him to come to your table or diet himself."⁶

(1). Verney, *Notes in Parliament*, p. 102.

(2). *Add. MSS.*, 15,561, fol. 118 b; *Controlment Roll, K. Bench*, 5th Chas. I, mem. 65.

(3). *State Papers, Domestic*, vol. cxlv. Nos. 35 to 41.

(4). *S.P., Dom.*, vol. cxlv. No. 32.

(5). *S.P., Dom.*, vol. cxlv. No. 39.

(6). *Egerton MSS.* 2,553, fol. 51.

The charge being referred to the Star Chamber Court, the information filed, 7th May, accused him, that, "maliciouslie and wickedlie under faigned colour and pretence of debate," he openly in the House falsly affirmed that his Majesty had conspired to trample under foot the liberty of the subject and the privileges of the Parliament, and that he combined and confederated to read publicly a certain paper prepared merely to express malice and disaffection. And for the further expressing his malignity, and in pursuance of the confederacy, he openly moved, and with much earnestness urged, that the paper should be read, that the "House might not be turned off like scattered sheep, and sent home with scorn put upon them."¹

Being brought up, his examination was attempted by the Attorney-General. Strode demurred, and claimed that he ought not, by law, to be compelled to answer for things said or done in the Commons' House, the said House being then sitting.² Being asked whether he was in the Parliament on the 2nd March, he said he was there. Being further asked whether the Speaker did not on that day deliver the King's message for an adjournment, he answered that he did not well remember what was done on that day, neither did he desire to answer for anything done in the House, but in the House.³ The evidence is signed in autograph, William Strode.

The prisoners—there were eight besides Strode—remained incarcerated all the long vacation. In October, they were conducted from the Tower to the chambers of the Chief Justice, in Sergeants' Inn, it "being thought easier there to work upon them," and being put in separate rooms, they were called in one by one. Liberty was offered if they would give a bond for good behaviour. Strode declined, and answered that he neither could nor would enter into any such bond. Exception, too, was taken to the writ, which was asserted to be illegal. On the 9th October they appeared in Court, and

(1). *Add. MSS.*, 12,511, fol. 151. *S.P., Dom.*, vol. cxlii. No. 37.

(2). *S.P.*, vol. cxliii. No. 12.

(3). *S.P.*, vol. cxlii. No. 33.

again tendered bail, the Judges agreeing to accept it, with the addition of the bond for good behaviour. Bail alone was persistently claimed as a first and separate proceeding ; then a trial ; and then, according to the judgment, if necessary, a bond. All declined to submit, declaring that their long imprisonment of thirty weeks was inflicted upon them, not as private men, but as Members of Parliament. The "Judges shewed themselves marvelous shy" when the Parliament was mentioned, and "cut" the prisoners "off," asserting that it was for sedition, and not for anything done in the House, they were charged. They answered that no such charge had been made ; that it was all for matters done in the Parliament. The Judges, however, "stood stiffly upon" the question. Being again asked if they would give the bond, they again only tendered bail. The Judge then threatened them that if they refused this "favour" now, they might "lye by itt for seven yeares," as no more writs of Habeas-Corpus could be issued. All refused, and were sent back to the Tower.

Mr. Strode propounded this syllogism. Whatsoever is contrary to Law and hurtful to the Liberty of the subject, ought not to be performed. But for me to be bound in this case to good behaviour is contrary to Law and hurtful to the Liberty of the subject. Ergo, I ought not to perform it. The Chief Justice told him they sat there not to answer syllogisms, and so "cut him off." Strode then made two requests : one, that he might be once a week permitted access to that Bar to plead for liberty ; the other, that he might go to the Tower church on Sundays : "whereunto the Judges answered not a word."¹

In the end, one died in prison ; some paid a fine and were released on submission and giving a bond for £2,000 for their good behaviour, and a promise not to come nearer the Court than two miles.² Strode declined every offer. What he did ;

(1). *S.P.*, vol. cl. No. 85. "A relation," &c.

(2). *Parliamentary History*, vol. ii. pp. 516—524.

what became of him, or how long he remained a prisoner has ever been a matter for doubt. Sir Horace Verney, in his *Notes* made at this time, says, p. 104, "one died in prison; some paid a fine; one imprisoned many years. So did Strode." Whether he mean that Strode paid, or that he remained in prison, it would be difficult to determine. But the astounding fact is that he remained in prison until just before the next Parliament was called in 1640, when he was released, after a seclusion of almost eleven years.

There were no newspapers in those days, even the small news pamphlet so interesting a year or two later had hardly commenced; instead, there were professional writers of News Letters, a weekly budget sent off to their patrons, with all the gossip likely to be of interest. By good fortune there is one preserved for us, dated 24th January, 1640, which begins: "This last week, Mr. Strode, who has been in prison since the last Parliament, to which he was committed till he should produce sureties for his good behaviour, which he did not, was set at liberty by a warrant under the King's hand."¹

This release, perhaps forced upon the King by the political situation surrounding, came opportunely, as enabling Mr. Strode to again secure his old post, and to use his energies to pay for this long imprisonment.

After this lapse of eleven years, the King, finding it imperative for the purposes of supply, called a Parliament for the 13th April, 1640, but not getting what he wanted, he dissolved on the 5th May. This Parliament met about three months after the liberation of the prisoner, and in the list of Members returned, is William Strode, for Beeralston. This was either not expected, or not intended, as there was an opposition in the person of Sir Amias Meredith, who claimed to be returned. The Sheriff seems to have shirked the decision, as the official document is endorsed by him:—"Being prest and required to returne this second endenture for Beeralston,

(1). *Scudamore Papers*, vol. v. fol. 87.

which concerns a Burgess of the Towne, I have thought it fitt and safest for me to leave the decision of the controversy to the Hon^{ble}. House of Parliament." The result was an Order of the Commons, 28th April, that the Indenture of Sir Amias should be removed from the file. William Strode was consequently elected.¹

Finding it impossible to get on without aid, another Parliament was called in November, the same year, 1640, when again William Strode was returned for Beeralston. He now received a complimentary election for Tamworth, but chose rather to adhere to his old place. No other Strode was returned to this Parliament, known as the Long Parliament, so that there is again no confusion about identity

William Strode was soon active. In November he was on a Committee to consider a case against a papist, who had attacked a man in the service of the House, when collecting the names of papists about Westminster.² He was also on a Committee in December, about property; on another, to consider the case of the Bishop of Bath and Wells, and to take into consideration a Petition against the Bishop, sent up from Beckington. In December he was on Committee to consider the breach of the Privileges of the Parliament in 1629, especially as to the proceedings against the Members then imprisoned. This was a curious appointment, as he was considering his own case. In December, too, the House "fell upon" a charge against the Lord Keeper Finch, who asked to be allowed to make his own defence. Mr. Strode rose and offered his assent if the rules permitted, observing "that the House had once importunately desired my Lord (being then Speaker) to speak in the House, but he would not."³ This was in the Parliament of 1629, when Strode was a party to his being held down in the Chair. On the 29th December, Strode brought in a Bill for annual Parliaments, to meet the first

(1). *Parliamentary Returns*, bundle 42.

(2). *Rushworth*, v. i. pt. 3, p. 63.

(3). *Scudamore Papers*, vol. v. fol. 137.

Tuesday after Ash Wednesday; and if the usual royal writ for the election were not issued by forty days before that day, the Sheriff should issue it, and the elections proceed. Such Parliament not to be dissolved before it had existed forty days, except with the consent of both Houses. This bold proposition at once became the talk of the time, as it so evidently attacked the King's prerogative.¹ In October, 1641, Strode supported a claim for Parliament to negative Ministerial appointments; this being not agreed to, a petition was substituted, expressing the wishes of the House. In the debate on the Grand Remonstrance, 9th November, 1641, he was again prominent; and on the 11th November he moved that no money be given for Ireland until the Remonstrance were passed. He was appointed on the Committee to prepare the Bill against the Earl of Strafford, a matter which closely touched the personal feelings of the King. In November he moved boldly that the Kingdom be put in a "posture of defence," and means taken "for commanding the arms thereof;" that was, that the House should take command of the militia.² He had, too, in mind, an intention to charge the Queen for her intrigues for an army; and for her plotting with the Irish, and with the Pope and papists. All this was at last more than the King, or the Queen and her advisers, could bear, and so before the last charge could be brought forward, the King was induced to attempt the arrest of five of the most prominent, troublesome Members, as the surest means of getting rid of them. Having first accused them of High Treason, the attempt was made on the 4th January, 1642; "*dies mirabilis, dies terribilis*, a blissful morning, a bloody evening—a day of terror and wonder—a day never to be obliterated."³

The House being informed of the intention, and of the King's approach with an armed force, requested the Five Members to leave to "avoid combustion." To this wish four

(1). *Add. MSS.* 11,045, fol. 147.

(2). *Harl. MSS.* 162, fol. 191 b.

(3). *Jehovah Jireh.*

yielded, "but Mr. Stode was obstinate," till an old and intimate friend pulled him out by force just as the King, with his "ruffians," was entering Palace Yard.¹ Leaving the soldiers in the Hall, the King entered the Commons House, the first time in history a King had ever done so, and looking round remarked that he perceived the birds had flown. Failing in his purpose he then returned. The Five Members, meanwhile, were secreted in the King's Bench Court, and eventually got by water to the City, where they were lodged in Coleman Street, and where they "wanted nothing." The same evening, dated at seven o'clock, a letter or warrant was sent off, addressed to the Mayor of Dover, or in his absence, his Majesty's principal officer there — "Hast, hast, hast, post hast, hast with all speed:"—that whereas Mr. William Strode and others have been accused of high treason, "being struck with the consciousness of their guilt, are fled," all diligence should be used to arrest them, and prevent their escape to foreign parts. Forthwith came out also a Proclamation for apprehending them, and charging all persons to search for them and take them to the Tower.² This the Lord Keeper refused to seal, so that it was posted only at Whitehall, and went no further. A day or two after, the Commons declared it false and scandalous, and that any one questioned for harbouring the run-aways should be considered under the protection of the Parliament. Mr. Strode made a speech in the House to clear himself of these accusations. He chose to consider that it was an attempt to get rid of him, to prevent his voting against the bishops, and that the King was guided by evil-minded persons—troublers of the State. He asked for a speedy trial, and hoped that the Parliament would go on with this work, and settle all troubles in Church and State.³

(1). *Parliamentary Register*.

(2). *Harl. MSS.* 4931, p. 100.

(3). Mr. Strode : his Speech, &c.

As neither side would give way, the Civil War was the consequence in 1642. Strode was quickly and characteristically active. Both parties had contended for the mastery of the militia, a business in which Mr. Strode was especially prominent. He was on the Committee appointed to draw up a Declaration to be sent into all counties, to put themselves in a "posture of defence." On the 8th August an Ordinance was passed that the Lord Lieutenants should raise a force to oppose those traitorous persons who were gathered together against the Parliament and with them fight, etc., the especial allusion being to the proceedings of the Marquis of Hertford in Somerset. Mr. Strode carried the same to the Lords, and reported that they concurred. Early in 1643, during the success of the Royalists in Devon, his house in that county was pillaged by some of Sir Ralph Hopton's party, a proceeding which was followed, on the 20th February, by an Ordinance of Parliament sequestering Sir Ralph's estates into the hands of Mr. Strode in satisfaction for this loss. This was followed, on the 16th March, by a Royal Proclamation on behalf of Hopton, declaring that the Parliament had sequestered the estate into the hands of "that William Strode whom we have accused of High Treason," and that the House had no such power of disposal. In June, Mr. Strode, "a Member of the House," was furnished with complete armour for man and horse, in lieu of the loss of a similar equipment in the service of the Parliament. The cavalier feeling was strong against Strode, and during some carousal, a party, after drinking "destruction and confusion to the Parliament," vowed expressly they would be avenged on him.¹ On the 20th June, the King issued another Proclamation, offering a free and general pardon to all the Members of both Houses, excepting, with others, William Strode, a "principal author of these calamities, and against whom we shall proceed as guilty of High Treason."

(1). *Declaration of the Cruelties, &c.* By R. Andrews.

Nothing came of all this, as Mr. Strode continued his activity in the Parliament. In July he was on a Committee of Safety, with full power to encourage the nation, as one man, to come to the Parliament. In September he was on a Committee to consider the case of Col. Strode. So, constantly all through the year. In December, on the occasion of the funeral of Mr. Pym, he was one of the bearers:¹ and was afterwards on a Committee to consider Mr. Pym's affairs.

Throughout 1644, too, he is found constantly at work, on all sorts of business. Sometimes about currants, about conferences or accounts, or the militia. In July he was on a Committee to govern Somerset affairs. In the same month he was sent to the Lords to expedite an Ordinance for Martial Law, and to acquaint them with what had happened in the west, concerning the hanging of many honest men for adhering to the Parliament. This was in allusion to an episode at Woodhouse, near Frome, where some executions had occurred. He was busy always about western affairs, and was especially earnest for the relief of Taunton. It was by his work and energy that relief was sent. Committees and conferences occupied him almost daily, from ways and means, Mint and moneys, to questions concerning admission to the sacrament. In November he was sent to the Lords to desire them to expedite the Ordinance concerning the Archbishop of Canterbury, and in January, 1645, he was still busy on the same matter. A resolution for the Archbishop's death having passed, it was sent to the Lords, but it "stuck there" until Mr. Strode, "he that makes all the bloody motions," told their Lordships that the "City would bring a Petition "with twenty thousand hands to it," so that after "some heats" it passed on the 4th January.² A notice of his and his friends' activity in this business says—"these men are eminent in the work of Reformation, and it will be no small addition of honour to them to have furthered the trial of this

(1). *Perfect Diurnall*, No. 13.(2). *Mercurius Aulicus*.

matchless Traitor and Incendiary.”¹ In February Strode was added to the Assembly of Divines, in the place of one deceased.² But all this work now became too much for him; his body being exhausted and his health impaired by his sufferings and services, he retired, during some illness, to Tottenham, where he died of fever, not of the plague as reported by some at the time. On the 10th September, 1645, the House being informed of the death of this “worthy Member, and faithful, religious, and unwearied patriot, one of the Five Members,”³ ordered that his corpse should be interred in Westminster Abbey, near the body of Mr. Pym, in such a manner as may be fitting for a person of his quality and deserts. It was further ordered that the whole House should attend, and that Mr. Hicks should be desired to preach. The body was taken from Wallingford House to the Abbey, on Monday, 15th September, when Mr. Gasper Hicks preached, according to the order. The House also ordered that the £500 voted him for his illegal imprisonment should be paid to his executors; and later in 1647, after considering the wrongs and damages suffered by him in 1629, £5000 were voted, to be divided amongst his poor kindred.

From the sermon preached at the funeral, the contemporary opinion of him can be learned. After noticing that he died not of the plague, although many would doubtless say we have found this man the very pestilence, the preacher remarked that he had this honourable sepulture because he had done good in Israel. He then touched on the antiquity of his descent, the piety of his private life, his sweetness in conversation, his faithfulness in friendship. A warm and furious partisan, he was just and courteous, cordial to God and man. He was not one to peep into the House for recreation, he set his shoulder to the work, his speeches being characterised by a “solid vehemence and a piercing acuteness.” He was not to

(1). *Merc. Britannicus*.(2). *Commons' Journals*, vol. iv. p. 50.(3). *Perfect Diurnall*, No. 111.

be moved by menaces: he counted not his liberty so that he might do his work, as witness his tedious and heavy sufferings, his long imprisonment—and that in the prime of his time. Witness, too, the late accusation of the highest crime, his singular serviceableness specially marking him for destruction. He “sought no office, though he had spent or lost all his private estate; he rather cast himself on his friends,” a proceeding averse to his spirit, although he enjoyed their heartiness and respect. Thus the Parliament had lost an ornament, the Ministry a friend, the Commonwealth a constant servant. He was, indeed, a very serviceable piece, a precious soul, profitable to his generation. If anything were wanting, said the preacher, to express his worth, it might be mentioned as the sum of honour, that he was one of the Five Members.

In 1661, after a quiet rest of sixteen years, his remains were childishly disinterred and thrown into a hole in St. Margaret’s Churchyard.



COL. WILLIAM STRODE.

Although the Strode name has been long connected with Shepton Mallet, as a county name it was hardly a prominent one. Keeping here to a local purpose, the name first comes to the front in 1625. On the 7th March in that year, a Bill was brought into the House of Lords, from the House of Commons, being an Act for the sale of the manor of Barrington in the county of Somerset, the inheritance of Arthur Farewell, an infant and a ward to his Majesty. It was then read on that day a first time; on the 11th March, the second time, and sent to Committee; and on the 15th March it was passed.¹ Barrington belonged to Sir Thomas Phillips, who had mortgaged it to Farewell, and this Act was necessary to enable them to deal with it.

Next, on the 6th May, in the same year, the property was sold by Sir Thomas Phillips, Bart., to William Strode, sen., and William Strode, jun., and to the heirs of William, sen.² Even in this transaction a little bit of character comes out, as the purchase was made without the usual license; consequently, when this was discovered, a fine of £3 was inflicted in 1626, when a pardon was duly granted.³

Again, in 1628 a license was granted to Alexander Deyer, gentleman, to alienate property at Street and Glaston, to Wm. Strode, sen., Esq., and Wm. Strode, jun., gentleman, and the heirs of the said senior.⁴

Thus, then, two William Strodes, as father and son, are

(1). *Lords' Journals*, vol. iii. pp. 519 a, 520 b, 524 a, 528 a.

(2). *Feet Fines, Somerset*, 1st Charles I, Easter, No. 1

(3). *Alienation Office*, vol. xv. p. 268, Michaelmas, 2nd Charles I.

(4). *Alienation Office*, vol. xvi. p. 28, Easter, 4th Charles I.

duly settled at Street and Barrington. Their coming or their settlement was aided by the fact that the father, a son of William, a clothier, of Shepton, had married in 1621, the only daughter and heir of Barnard, a clothier, of Downside, in Shepton, by which marriage his wealth was largely augmented. That wealth was already considerable, as before his marriage he had been a merchant in Spain, and had by good fortune accumulated there.

A notice of this Spanish connection is preserved through an extant Letter of Credit, given by one George Strode in 1622, to his agent at Bilboa, for the benefit of the Earl of Bristol who was sending there his hawks and dogs.¹

After the dissolution in 1629, there being no Parliament to interfere with him, the King bethought him to pretend that the kingdom was in danger of invasion, and that a fleet should be provided for its defence. The plan ordered was that every county should find a ship ready for war, the size, etc., being specified; or failing a ship, a certain sum of money, the presumed cost or value of such a ship. As the inland counties, as a matter of course, could not provide a ship, it was certain that here money must be found instead; and it was money the King actually wanted. Besides that this tax was determined to be illegal, it was well understood that the money was wanted not for ships, but to raise soldiers who would be at the King's service to support his illegal proceedings and his tyrannical purposes: a determined opposition therefore arose against it. In Somerset the refusal to pay was general. The duty of collection was with the Sheriff, who had great difficulty in getting any return. In 1636, William Cox, "formerly" High Sheriff, wrote to the Council that Mr. Hodges, "late" High Sheriff, had promised to pay him some moneys, but had not done so, adding: "There is one man that much retards this service, and that is William Strode, the merchant, who,

(1). *Add. MSS.*, Mus. Brit., 29,975, fol. 58.

refusing to pay five marks had one of his cows distrained and suffered the Constable to sell her. The over-plus being tendered to Mr. Strode he refused it. Then hearing where the cow was, he fetched her away by replevin, and sued the Constable." The Council considered the case, and ordered that Mr. Strode the merchant, be sent for.¹

There appears to have been some enemy at work in this affair against Strode (? Sir Thomas Thynne), who sought to pin all the opposition upon him, and who quickly reported that he was "laid by the heels." Strode, however, wrote from Barrington, March, 1637, that he feared him not.

In accordance with the order of the Council Strode appeared, and gave his own story to the King personally, "by word of mouth." He complained of being heavily rated, and declared that he had been charged as much as men of five times his estate. The tithing of Barrington, too, was over-rated, being charged at £15 10s.—instead of £11. The just rate being sent from Barrington to the Constable he refused to alter it, and so ultimately he distrained the cow, worth £6, and sold her for £3 10s. The Council ordered that Mr. Strode should pay the sum required of him and withdraw his suit upon the replevin; the distress to be returned to him. Enquiry was to be made, and if the Constable were wrong, he was to re-pay Mr. Strode all charges and be liable to further punishment. On the other hand, if Mr. Strode were found wrong, he was to pay all messengers' fees and charges and be liable to further punishment.²

One of the grievances of this time was the attempt to revive the authority of the bishops, by making them judges in personal matters—a proceeding which produced a deadly hatred against all things prelatial. Acting on this plan, this question was referred to Bishop Peirce, of Bath and Wells, who reported that the tithing of Barrington was properly assessed, and that

(1). *State Papers, Domestic*, Charles I, vol. cccxxxvi. No. 29.

(2). *S.P.*, Charles I, vol. cccxliv. Nos. 33, 34.

Strode's account of his own conduct was inaccurate and contradicted. The Bishop added that Strode "took the boldness to tell him in the hearing of all the company, that he did not examine the Sheriff as he should do, and that he did not look upon the business with an indifferent eye."¹ Upon this it was ordered, May 25th, that Mr. Strode should "acknowledge his sorrow" for such bold carriage and inconsiderate words and render full satisfaction, or the Court would proceed against him. He was also to pay the poor man, who, after buying his cow, had lost her upon replevin.² It must be supposed that there was no ready compliance with this order, as, under date August 1st, Strode wrote from Barrington to Secretary Nicholas, in reply to a letter from him, thanking him for his letter and advice, and stating that he had now complied and given the Bishop satisfaction, but the Bishop had refused to give him a written acknowledgement of it. The charges, too, he had paid, but he adds,—thus showing the struggle he had to comply,—"to pay for my own goods twice I cannot."³ Although refusing a certificate to Mr. Strode, Bishop Peirce certified to the Council, in November, that he had given full satisfaction "by an ingenuous acknowledgement of his fault."⁴

Strode refused to pay in other places where he had property, as at Wherewell, in Hampshire, where "William Strode who lives at Barrington" was returned as refusing an assessment of £2, there being no distress available.⁵

Notwithstanding these troubles, cash was ready to purchase more land. In 1638, 9th March, William Strode, of Barrington, bought a considerable property at Sowthey, and Cotehay, and Wokey, and Newley; all in Martock and Coate:⁶ and in 1638 a deed was enrolled of the purchase by the same William, for the sum of £10,000 in hand paid, of all the manor of

(1). *State Papers*, Charles I, vol. cclv. No. 54.

(2). *State Papers*, vol. cclvii. No. 65. (3). *State Papers*, vol. cclxv. No. 8.

(4). *State Papers*, cclxxi. No. 120. (5). *State Papers*, vol. cclxxix. No. 133.

(6). *Close Rolls*, 14th Charles I, pt. 22, mem. 20.

Martock, with belongings, with Henton, Newton, Hurstcoote, and Westcombland. This is a long deed of several skins, with a schedule annexed of the various small properties included in the sale.¹

Besides the attempt to raise men and money under pretence of finding a navy, the King, in 1640, pretending now an attack from Scotland, endeavoured to raise an army, but, it being well understood again that this was a part of his general scheme to get a force strong enough and willing enough to coerce the country, it was equally disapproved and opposed. An order being sent to the Lord Lieutenant to raise two thousand men in Somerset for this Scottish service, the Deputy-Lieutenants, May 26th, 1640, reported that they had duly impressed that number, and had appointed a rendezvous. They chose Mr. William Strode to be treasurer, to raise and receive the necessary money, and entreated him, as he dwelt near the place of meeting, to undertake the duty. They were obliged, however, to report that he "neglected and slighted the service," and consequently, the soldiers being without pay, "were unquiet spirits and unreasonable."² In fact, the discontent was now so general that the men disliked the service. On receiving this information, the Council sent off a letter for Mr. Strode, and ordered the Deputy-Lieutenants to charge him with this neglect. The letter was sent by the "common post," and was delivered on the training ground at Bruton; so that the Lieutenants being without the necessary letters and papers, no charge could be made. Strode's declining the work was a great hindrance, as the Constables having brought their money to his house and finding no one to receive it, became careless about levying more. To get any, a second warrant was sent out, and even a third was found necessary, and at last money was privately advanced "to appease the distempers" of the men; whereas, had Strode received it at his house, the

(1). *Close Rolls*, 14th Charles I, pt. 26, mem. 38

(2). *State Papers*, vol. ccclv. No. 6.

business would have "gone on with less noise and much more ease." The Deputy-Lieutenants in their letter to Strode, stated that they had appointed him treasurer, that the money might be paid at his house at Street, "not doubting his willingness to do the King and country this service." The letter was addressed:—

To our very worthy Friend, William Strode, Esq, hast these for his Mat^s service att his house att Streete.

Mr. Strode, in reply, wrote:—

Right Wo^{ll}

Yesterday in the eveninge being ready to take horse for London, I received yo^r Courteous Lr^e dated y^e 20th of this moneth in Tanton and was deliv'ed me by a Stranger that could not tell whence it came, nor whether it were written by y^e Deputy Lientenantes, wch I p'sumed might be so because it concerned Military Affayres for his Mat^s service, therefore thought it very fitt to give you thanks for yo^r good opinion of mee, though there be many other gentlemen in yo^r country more worthy of this yo^r place of trust. Yet if it be yo^r Pleasures and can bestow it upon mee wth suffieyent authority and Commission to receive and discharge myselfe of y^e moneyes you have thought on, I will to y^e uttermost of my ability apply my selfe to p'forme y^e service at my returne from London, wch shall be wth all speed and if possible I can before y^e end of this Tearme. See take leave and rest,

Yo^r Wopps humble servant,

22nd April, 1640.¹

WILLI STRODE.

The discontent, and the opposition to these proceedings, culminated in the outbreak of a civil war in 1642. The first occurrence in Somerset was the arrival of the Marquis of Hertford towards the end of July, bearing a commission to raise men for the King. Passing from Bath, he went to Wells as a central spot. On Monday, 1st August, he proceeded to Shepton, for the purpose of publicly reading his commission and calling out the militia, and arrived in the market place about eight in the morning, a hundred strong. Here he was promptly met by Mr. William Strode, a Deputy-Lieutenant, "and one of the Committee of both Houses" acting in Somerset, who with his son and servants,—in all, four armed, and two unarmed,—opposed him, and required him to depart.

(1). *State Papers*, vol. cccclvii. No. 50.

A struggle ensued ; Mr. Strode was seized, and arrested for treason. One struck at him with a halberd, others with their swords, so that at last he was overpowered, secured, and handed over to the Constable. Still, when a captive, he continued to urge the people to obey the King when guided and counselled by a Parliament, and not as was then the case, when guided and counselled by evil counsellors. At this moment a rumour was spread that a great multitude of country people was coming in, when the royalists made off. As soon as they were gone the Constable was compelled to release his prisoner.¹ The power and influence exercised by this conduct can be judged by another report, which, recording the emeute, says that "one Master Strode, a gentleman of constant fidelity to the King and Parliament, showed such resolution, that the country people seeing it with admiration, got up their courage" for the fray.²

On Wednesday the cavaliers came again to Shepton, and "rode up a certain great hill called Mendeepe," and "thereby stroke a great terror and affrightment." They would have succeeding in reading the Commission and would have forced the trained bands to yield obedience, "had not Mr. Strode and some other Deputy-Lieutenants very resolutely opposed them." Strode had not more than one hundred and fifty men, but under his influence and inspiration these were "so stout and resolute" that they feared not to encounter, the consequence being that several were wounded.³ After refreshing themselves in Shepton, and robbing some houses, the cavaliers returned to Wells.⁴

Preparations for the war were now general. On the 5th August the House ordered that Mr. William Strode, a Deputy-Lieutenant of Somerset, should have a warrant for carrying down musquets and other ammunition into that county.⁵ A meeting of the people was called for the Friday, the place

(1). A letter from the Committee in Somerset.

(2). "True News out of Somerset." (3). "More, Later, and Truer News," etc.

(4). A letter from John Ashe.

(5). *Commons' Journals*.

being by Chewton above Wells. Mr. Strode did not appear at this muster, nor could he send his men, for the reason that, as they were coming up from Street, on Thursday, some troopers from Wells ranging the country thereabouts, met them on Polden Hill, and there, by an ambush, some were slain.

This was the first blood shed in the war.

Having lost their powder and bullets, and being otherwise disorganized, Strode's men returned home.¹ Negotiations were now opened by the Marquis of Hertford, shut up in Wells, but the Deputy-Lieutenants in reply, craved to delay any answer "as Mr. Strode had not come in," he "being principally concerned in the Shepton business." Presently Strode arrived, and taking up the post allotted to him, with three thousand men he camped on the hill on the east side of Shepton, to command the city of Wells;² but the Marquis saved further trouble by escaping to Sherbourne. Reporting the position to the Earl of Bedford, by letter, dated Street Grange, 11th August, William Strode enclosed the document to Mr. Pym and Mr. Strode with directions to them to forward it to the Earl. This letter was read in the House on the 13th.³ Strode's influence was now very great, his activity constant in all things warlike. He was present at a fight on Siegemoor, on the 19th; he signed a relation giving an account of the fight on the 7th September, on Babel Hill, near Yeovil;⁴ and his name is seen to a letter to the Mayor of Wells, requiring him to provide accommodation for the Earl of Bedford, as General of Horse; and later, he is found writing to the same to provide arms and armour. The plan adopted by the Parliament for raising a force and taking command in the county, was the appointment of a County Committee, to which instructions were sent, and whose duty it was to search for and seize all war material gathered by the royalist party; to call

(1). John Ashe's second letter.

(2). "Joyful News from Wells."

(3). *Commons' Journals*, vol. v. fol. 86.

(4). "Exceeding Joyful News from the Earl of Bedford."

out the militia; to appoint officers; and to disarm all papists or others ill affected. On the Committee for Somerset was William Strode. This prominence had its penalties, as by Proclamation of the 9th November, the King declared that the "malice and industry of several seditious persons in the county of Somerset have raised means towards the maintenance of an army now in Rebellion against us;" but being ready to attribute the offence to the power of their seducers, a free pardon was offered to all inhabitants of the county, excepting, with two or three others, William Strode of Street, Esquire. Whoever after this Proclamation gave any obedience to any warrant of the said William Strode, was to receive condign punishment.

The royalist force was now gathered in Devon, where, in January, 1643, it met with some success under Sir Ralph Hopton. It was reported that Strode of Street, whom his Majesty had excepted out of his general pardon, was taken prisoner; but this was not so, as he lay with his force about Tiverton to stop Sir Ralph's advance.¹ He was next reported killed,—the wish, perhaps, being father to the thought,—but was soon found with his men at Sherbourne; from which place he was driven with others of his party.²

As the war became general, the mere county and local organization was found to be insufficient and produced too much division; consequently the western counties were associated, and placed under one general command. The Somerset men were either sent into Devon, or were posted on the borders of the county to stop the return of the royalists. It was thus that Mr. Strode was placed at Tiverton.

The Somerset men being away, about five hundred royalist troopers assembled near Bruton and Ilchester. This being reported, Colonel Strode, as he is now called, returned to check them with his "valliant band."³

(1). *Mercurius Aulicus*, 2nd week; Certain Informations, 16th January.

(2). *Mercurius Aulicus*, February 23. (3). *Special Passages*, 7th—14 h March.

To give an account of every action in which Strode was engaged would be to give nearly a full account of the war in Somerset; it must be sufficient therefore but just to trace his military career. On the 28th January the House ordered that his drafts upon the county funds should be honoured. On the 1st March he was on a County Committee to assess; and on the 31st March for seizing the estates of notorious delinquents. On the 11th April he was at Wells, with his men. On the 11th May he was at the taking of Wardour Castle.¹ On the 13th May he was at Mere, from whence he marched and joined Sir William Waller at Bath.² During a crisis here about a money supply, there being none in hand, Colonel Strode advanced a loan, which was repaid him in September, 1645.

The royalists, continuing their almost forced march from Devon, caused a panic in Somerset. A strong party left Bath for Bridgwater to meet them; some being reported as going to Shepton.³ On the 6th June, Colonel Strode was at Somerton, the royalists having advanced to Langport. Strode then moved to Glastonbury,⁴ where he was defeated; but by his great exertions his men were rallied, and so retired in good order through Wells, and "to the top of a hill called Mendip," above Chewton. After an encounter here, ending again in defeat, with what men he could keep together he returned to Bath and rejoined Sir William Waller. He was at Lansdown fight in July, and most bravely bore the brunt of a sudden attack made on him on Roundway Down: all again ending in an utter rout, and a retirement to Bristol. After the fall of Bristol, where he was specially prominent, obtaining special record as being "a man much relied on in these parts," he visited his house, and taking the route by Dorchester went to London.⁵

The King's party being everywhere victorious, Somerset

(1). *Perfect Diurnal*, No. 48.

(2). *Certain Informations*.

(3). *Perfect Diurnal*, No. 52.

(4). *Perfect Diurnal*, No. 55.

(5) Clarendon.

was now occupied by his troopers as a conquered territory.

Strode was, however, constantly active in other ways. On the 3rd August he was appointed on a Committee of Assessment; on the 18th September he petitioned the Commons about the money raised in Somerset, the question being referred to a Committee, on it being Mr. Strode, and the knights and burgesses of the county. Next he is found quarrelling with Mr. Horner, and on the 23rd December, 1643, it was ordered that both should be sent for, in custody. Colonel Strode's word was taken that he would appear. On the 25th December the Committee considered the case, and again on the 1st January, 1644; but the cause of the quarrel is not stated. Throughout the winter and spring active preparations were made to recover Somerset from the King; prominent in activity was Colonel Strode. On the 15th July he was appointed on a County Committee to consider and try military offences; the origin being an attack by the King's force, on Woodhouse, near Witham, in which Strode had placed a garrison.

Throughout this year, 1644, was a sad time for Somerset, and all that Strode and his party could do had but little effect. In August he was at Ilchester raising a regiment of horse, "which I make no question he will do" wrote General Middleton; next he is found at Dorchester, in September, with the three hundred horse he had thus raised; with these troopers and a thousand arms he had gathered for his Somerset men, he then joined others, and camped between Taunton and Bridgwater.¹

But these individual and voluntary efforts were seen to be not enough, and during the winter other plans were considered by the authorities in London. The result was a new army,—the new model—fairly organized, early in 1645, with a national, rather than a local origin. New regulations required all Members of Parliament, and some others, to resign any military

command. In the list of those who did so occurs the name of Colonel Wm. Strode,¹ consequently he now disappears suddenly from the scene of war. The reason for this will presently appear. He was, however, still active in the county, on Committee and other business.

The Parliament now found it necessary to fill some of the vacant seats, and towards November the House "filled every day with new Members."² About Bristol and those parts there was a great "hold and pull" at the elections,³ a position well exemplified in the election of a knight of the shire, for which Colonel Strode was nominated. A writ being sent down in November, the county Committee resolved on setting up Colonel Henley and Mr. Harington; but the freeholders pitched on Colonel William Strode for one, "having had good experience of his fidelity and abilities." The Committee then, to carry the first design, changed the meeting place. The Sheriff (Horner) joined in this, but rather wishing to set up his son George; a proposition which was "not much" opposed. The day of the election being come, the country people flocked to Ilchester, crying, "A Strode! A Strode!"—drowning all the other names. On seeing and hearing this the Court was adjourned to Camel, four miles off, whither went Colonel Henley with the county horse—"no fit garb for a free election." All this was a plot against Strode, but he, "in his subtiltie," turned everything to his advantage. Every endeavour was made to break his influence. He was charged with not giving in his accounts; with opposing the new model army; of favouring the malignants; and with an inclination to Independency. This, "though handsomely set on," was not taken by the voters as expected. The Sequestrators were next called into action, and these, taking notice of those who favoured Strode, bid them be cautious, or they would hear of it after the election. But all was useless.

(1). *Oldmixon*, p. 277.

(2). *Mercurius Viridicus*, No. 30.

(3). *Moderate Intelligencer*, No. 40.

Strode's activeness for the Parliament; his many adventures; his "staying" at Bristol, and his great losses, were so publicly known that his credit was not to be shaken. The destruction of his houses was also added to his claims, but this was a contemporary confusing of the two men, as it was the houses of the Member which were so specially destroyed. Adjourning again to Ilchester, Colonel Henley returned with the county horse, and the Committee came to him. During the Saturday night there was a heavy fall of snow, so that Mr. Harington got only to Speckington; but of Strode there was no news, and success against him seemed certain. On Monday morning however, it was found that he had stayed at Townsend with a great number of horse, and by daylight his men began to fill the hall. Seeing this, the clerk had orders to adjourn to Camel but before this could be done Strode appeared, when his supporters, who filled the market place, made a "fearful cry," and no name was heard but Strode. The Committee declared every one of them malignants; but caring nothing for this they kept their ground. Strode coming into the Court, said he did not like the adjournment to Camel, it being against the free liberty of an election, and illegal; yet, if the legal time were not past, he would go there. Some one here charged him with not accounting for his money received, but his supporters swore they would pull his accuser from the bench, for defaming the only man they hoped in for the good of the county. It was only by Strode's own exertions they were restrained from violence, "otherwise it might have been a bad business." "You see," says the writer of this account, "how he hath bewitched his countrymen." As he left, again the shout arose—"A Strode! A Strode!" The women, from the windows, joined, and these "terrible cries" continued for about two hours. Strode managed to "shuffle off his horse" and get into a house, but as the shouts continued he got by the back way into Northover, when the "mad multitude" dispersed. On his reappearing presently the people began again

and continued shouting until he got from his horse and into the house where the Committee sat. The Sheriff now announced that he had postponed the election to the next day, at eight o'clock. This being done, Strode in the morning sent a servant to the Sheriff, declaring that the writ was now vacated, but that he would willingly join in a certificate for a new one. The Sheriff not regarding this, nor the protests of the freeholders, went to the election. Strodes' men declaring the whole proceedings illegal, would not vote, so that the Sheriff had all his own way, and without the Committee, and with only about sixty freeholders, returned his son George, "a known neuter, if not worse;" and with him Mr. Harington, who had eight votes only.¹ So far the county election.

On the 25th September, 1645, a new writ was issued for an election for Ilchester, and on the 27th January, 1646, the Sheriff was ordered to make his return. Strode offered himself here, the result being a continued effort at opposition, followed by a disputed election and a petition against him by the defeated candidates, Sir William Selby and Alexander Pym. On the 2nd February the Commons declared Strode to be elected, and so now his field of activity changes for a while. This election occurred a few months after the death of his namesake, William, one of the Five Members, and consequently the two were never Members together at the same time. In March he obtained an order from the House for repayment of money advanced by him; in June he is found interfering in the Somerset elections, and in the same month he obtained an order that soldiers should not be billeted in his house. In October he was on a Committee for selling Lord Capel's estates; and on another to consider and select fit men to be sheriffs; and in May, 1647, he was considering the cases of those "well affected" persons having claims from the "late times of imminent danger."

But now another political and ecclesiastical change came near.

(1). *Scottish Dove*, Nos. 113—119.

Colonel Strode was one who had taken the Solemn League and Covenant in 1643, by which he declared himself a Presbyterian, and bound himself to support the Presbyterian system, which was then established in England. His name is found on the list of elders for Somerset, and his family stands recorded by the minister of Langport, as "the most regular of any he had seen."¹

The Independents being now dominant, likewise tendered their covenant, known as the Engagement, and those who refused to take it became marked men, considered as in opposition. Colonel Strode refused, and consequently fell under censure. The first note was sounded in an order of the House, of 17th May, 1647, that his "certificate of accounts" should be read and taken into consideration. On the 31st March, 1648, an information was laid against him for "words spoken in Candlemas term twelvemonths," and he was ordered to attend the House thereon. This matter will be better noticed by himself later on. He seems to have cleared himself from rebuke, as in September he was actively engaged on Committee for quickening the bringing in of arrears for the army, and so continued active until the 5th December, 1648, when by the action of Colonel Pride the Parliament fell under the power of the sword. Colonel Strode was one of the Members then secured and excluded from the House. The prisoners at the time were classed as prudential, assertors, and middle men. Strode was of the last, that is, not strong for the army, nor strong for the Parliament.² As a Member of Parliament, or as a public man, no more is heard of him.

Another turn in fortune's wheel, and, curiously, again Strode is in trouble. On the restoration of the monarchy, he found his Presbyterian prejudices too strong for the episcopacy then restored, and gave offence by some refusals to orders of the King's Deputy-Lieutenants. The consequence was a charge against him sent to the Privy Council, by Capt. William

(1). Calamy, *Nonconformists' Memorial*. (2). *Mercurius Pragmaticus*, No. 39.

Hellyer, the Sheriff, who took a bond, 27th September, 1661, for his appearance. On the 7th October he attended at the Board, and was ordered to continue his attendance until further information came from Somerset. On the 13th November he sent in his petition on the case, telling his own sad story. Here he set out: That, according to his best skill and ability, he had all his life obeyed, embraced with joy, and endeavoured to support the happy Government of these nations under one monarch, together with the Parliament, for which he had been a great sufferer, viz., being a Member of the Long Parliament, he was twice accused in the House—first, for saying he would never take up arms against the King, but against the Independents; and again, for reporting that the Scotch Commissioners had better arguments to keep his Majesty than we had to demand him, for that his person would be safer there.

In December, 1648, he was pulled out of the House and carried away prisoner to the Queen's Court, with forty-five more, and kept prisoner to the last, for seventeen weeks, and then went into the country. Not long afterwards the 'Rump' disarmed him, and took away his horses, because he refused the Engagement. For Worcester fight all his horses were seized, and he "taking means to get them back," his other goods were seized, and a fine of £50 in money inflicted.

A Captain Warrington, with others, searched his house, examined his servants, and took away all the arms; and because he opposed the decimators "they threatened to decimate him." The tail of the 'Rump' seized his horses, threatened to carry him away prisoner except he paid them £40, and they forced from him £20, for which he commenced a suit against "one they called Major Samson, a great informer against him."

Being in the Commission, and being most forward to bring in the King, he had endeavoured to keep out of the militia "debauched and plundering persons." For this his house was rifled and wholly disarmed; he and his two sons charged with

five horses to the militia, no other man in the county, even with estates four times his, being charged with more than three. His servants and tenants were not permitted to ride his horses in Captain Helyar's troop, but he was forced "to pay unfitting riders for spoiling them," viz., £11 for forty-four days, and £4 more for quarter; and this money "Cornet Higdon levied with sixteen troopers, most abusively." The same cornet, not long after, went to his house with a squadron and seized his person by warrant from Captain Helyar; and then, because of his indisposition, released him on a bond for £2,000, to appear or send one of his sons to Somerton before the Deputy-Lieutenants. Appearing accordingly, he complained of this violence, but "had only answer that it was done without orders."

The same cornet, on the 10th September, with about thirty troopers, came again to his house, and violently seized his person, without warrant or any given cause. Being asked for his warrant, he replied by "laying his hand on his sword, saying, 'That is my warrant.'" He was then sent away, accompanied by ten troopers, and kept prisoner in Ilchester gaol for seventeen days, though he entreated and petitioned that in regard to his old age he might have his own house for a prison; and further, even when the order came for his release, it was delayed a whole week.

After thus stating his misfortunes, and giving us a peep into the troubles of the time, he prayed to have his good name and goods restored, and to be allowed to live quietly in his country.

The Council made a temporary order that all proceedings should be respited until the Members for the county came up. In December the case came on again; the charge being considered, and both sides heard. The result was an order that Mr. Strode be required and commanded to repair forthwith to Ilchester, and there, "in the hands of the sheriff of the county remain confined, until upon his promise of conformity to the orders of the Deputy-Lieutenants he shall be released."

Probably after some communications had passed, on the 8th January, 1662, it was ordered that Mr. Strode and as many Deputy-Lieutenants as may be in town should appear on Friday, the 10th instant. Accordingly, on that day, in the presence of many brother Deputy-Lieutenants or neighbours, Mr. Strode "made his humble submission, expressing his sorrow that his former actions had been a cause of offence to his Majesty, and promising for the future to live in all duty and obedience, and to observe the orders of the Lord-Lieutenant of the county and his deputies in all things that concerned his Majesty's service." His Majesty being pleased to accept this surrender, all former orders were revoked, the bond cancelled, and "Mr. Strode permitted freely to have his liberty to return to his country and habitation."

As this submission, according to custom, would be made upon his knees, the cup of humiliation must have been bitter indeed to the now aged, worn out man. It must be hoped that after such a life, so stubbornly fought, his few remaining years were spent in peace. He died in 1666, aged 77, and was buried at Barrington.

By the aid of these notes, there is no longer doubt as to the exact identity of these two men, and the question of local interest for us is clear. That confusion should have existed is not to be wondered at, as whilst some of the facts, read by themselves, would seem to bear out the supposition that the Member of 1642 was a Somerset man, others point as strongly to the contrary.

Not only has confusion existed with us, it existed at the time.

Sir Simond D'Ewes, writing to his wife, mentions a Triennial Bill as being brought into the House by one "Mr. William Strode, a young man, and unmarried." The implication here in no way identifying him with one who had been so marked so long before as the Parliament of 1629. Clarendon, who as a matter of course speaks severely and derogatively of both

Williams, gives no explanation, makes no attempt to discriminate between them.

Then the *Perfect Diurnal*, No. 52, of the 12th June, 1643, gives an account of a plot to "cut off" some Members of the Parliament, naming, among others, "Colonel" Strode; whereas "Mr." Strode, the Member at that time, was not the Colonel who was daily prominently active in the war. Also, as already noticed, the ruined house in Devon of the Member for Beer-alston, was spoken of as the house of the Colonel.

Again, what might well be considered absolute, a contemporary diary of 1644,¹ made or kept by a royalist officer actually at Shepton in that year, when noting the Barnard monument in the church, records:—"Mr. Wm. Strowde, one of the Five Members, married this Mr. Barnard's onely daughter and heire (£2,000 per annum). Strowd lived at Barrington, three myle from Ilchester, another howse at Street; hath all the parsonages between this town and Barrington. He gott his estate by being a factor in Spain. His father was a clothier in Shepton Mallet. His father left him £740 in all. Barnard is descended of a clothier in this towne too."

Besides all this, at first sight the King's proclamations against these Strodes, when taken separately, aid in the confusion. Thus, one proclamation alludes directly to William Strode of Street as being beyond pardon, leading to the idea that he was the Member charged with high treason; more especially as a similar proclamation of the same date for the county of Devon strangely enough makes no mention of a Strode.

In the proclamation against the sequestration of Sir Ralph Hopton's estate, which followed, William Strode is there distinguished as "that William Strode whom we have accused of high treason;" a distinction not only very slight, but here actually again aiding the confusion, and confirming the Somerset idea, as it might be expected that Sir Ralph Hopton's property

(1). Symond's *Diary* (Camden Society).

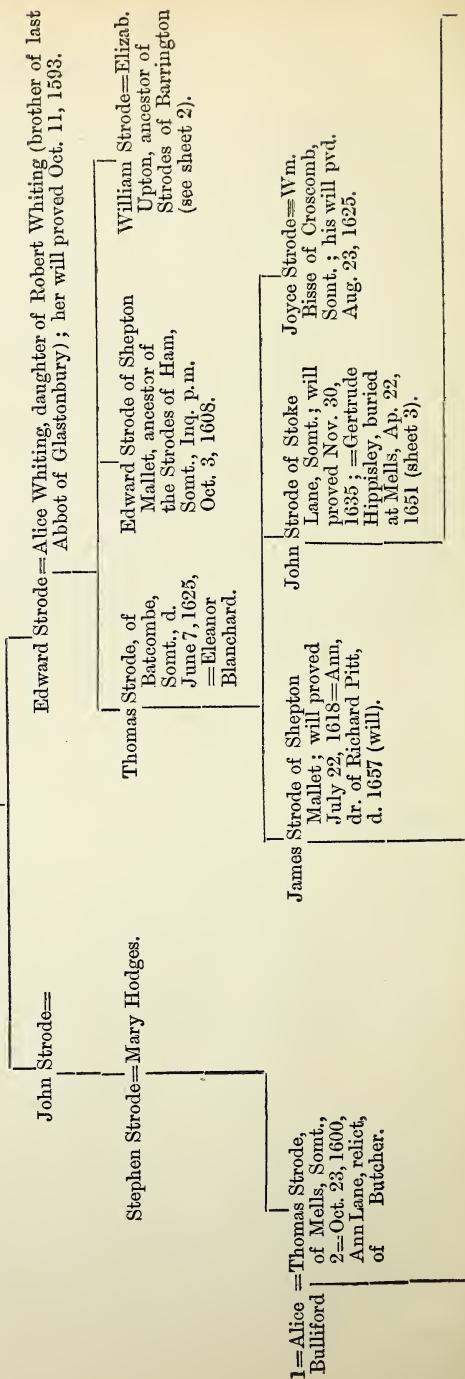
would be coveted by, and sequestered to, a Somerset, rather than to a Devon man. Further, directly after the imprisonment of 1629, the immediate appearance of William of Barrington in opposition to ship-money, in 1636, seems, from similarity of conduct, to connect the two men, or rather to point only to one and the same: the actual whereabouts of the prisoner being unknown. Then when two Williams, a father and son, appear in arms at Shepton, in 1642, one might well be the Member, the other destined presently to be the Colonel of 1643; especially as one of the earliest orders of the House, 5th August, 1642, grants a warrant to Mr. William Strode for carrying musquets into Somerset. So that, arguing backwards, from the King's proclamations; from the emeute at Shepton; to the ship-money business, the conclusion might well be that William of Barrington was William of the Parliaments of 1640 and 1642. This conclusion being aided by the hitherto inexplicable fact that no other than the Somerset William was politically prominent during the ship-money time, to the meeting of the Parliament in 1640. But now it is known that the William of 1629 was in the Tower in 1637 and during the ship-money contest, and all the intervening years until 1640; that it was he who was in 1640 re-elected for Beeralston; that he was undoubtedly from Devon; that he died in 1645,—eleven years before the Somerset William,—acknowledged at the time as the prisoner of 1629, and also as one of the Five Members of 1642, the exact work of both these men can be traced, and all historic doubt is settled.

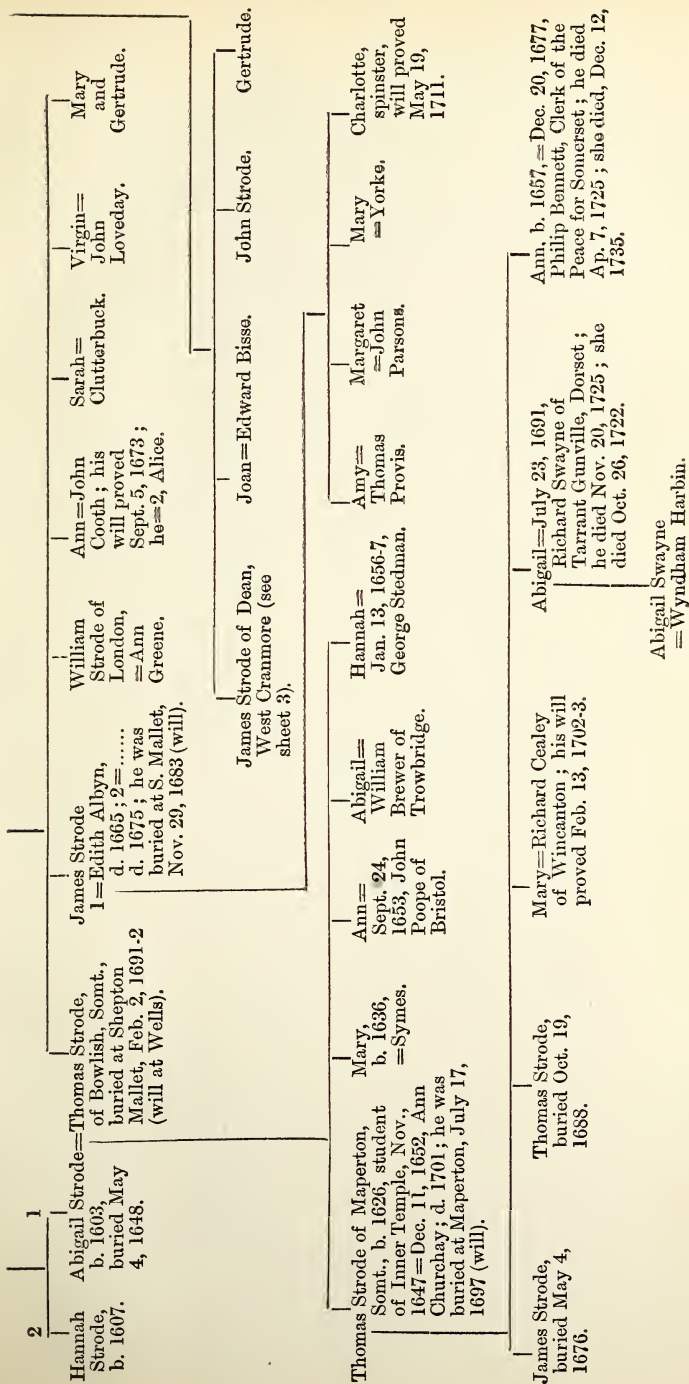
Pedigree of the Strode Family. (1.)

BY REV. FREDK. BROWN, F.S.A.

Thomas Strode of Shepton Mallet.

N.B.—Four earlier generations
are given in the *Visitation*
of *Somerset*, 1620.

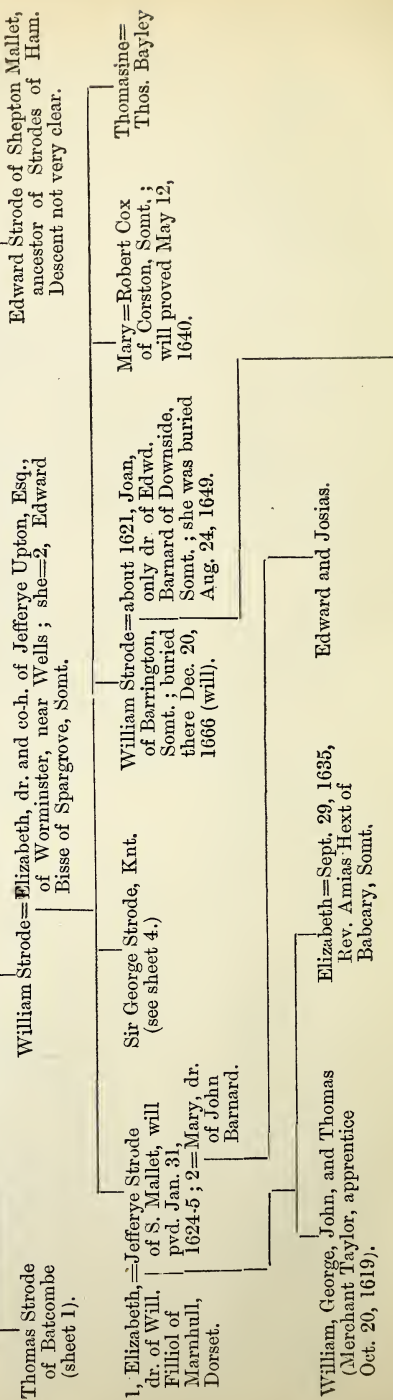


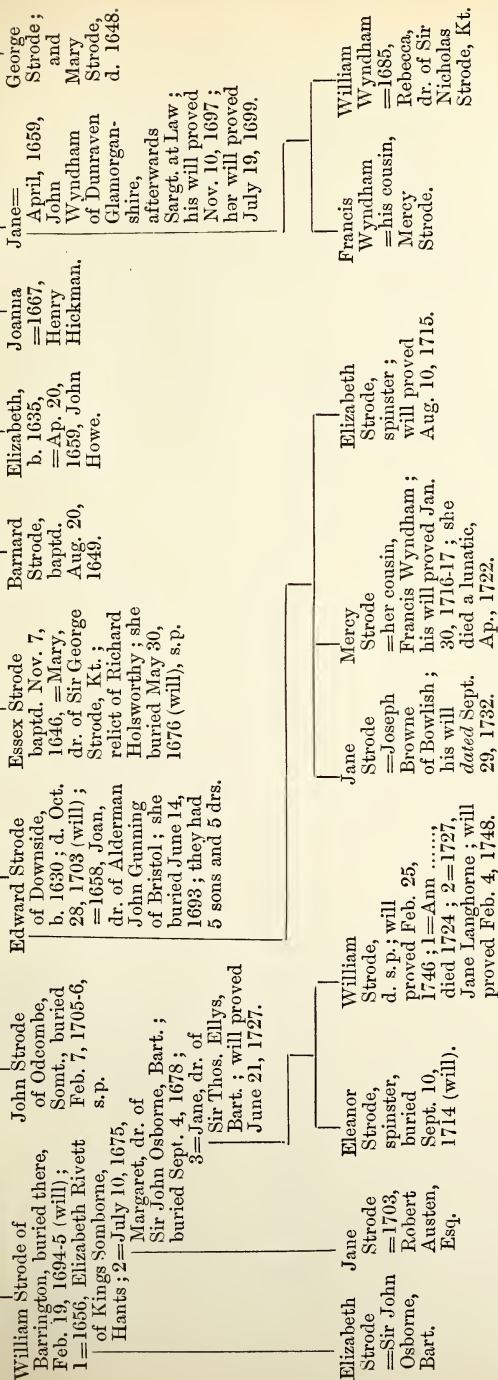


Pedigrees of the Strode Family. (2).

Edward Strode=Alice Whiting.

According to the *Visitation of Somerset*,
he was son of Thomas Strode of
Shepton Mallet.





Pedigrees of the Strode Family. (3).

John Strode==Gertrude Hippisley
of Stoke (sheet 1).
Lane.
d. 1635.

James Strode of Dean, West Cranmore, Somt.,
born 1613, buried Dec. 2, 1698 (will) ; he=1,
Oct. 10, 1631, Ann Adams ; =1639, Amy A'Court,
buried Oct. 7, 1700.

4th son.

George Strode
of West Cranmore,
buried Sept. 3, 1718
=Elizabeth,
buried Aug. 8, 1700,
s.p.

Edward Strode
of Lincoln's Inn,
born 1651, buried
Ap. 5, 1708 (will),
=Sept. 25, 1679,
Martha Clayton ;
will proved Feb. 15,
1722-3, s.p.

Carew Strode, =Elizabeth Skinner.
buried Jan.
25, 1740-1
(admn.)

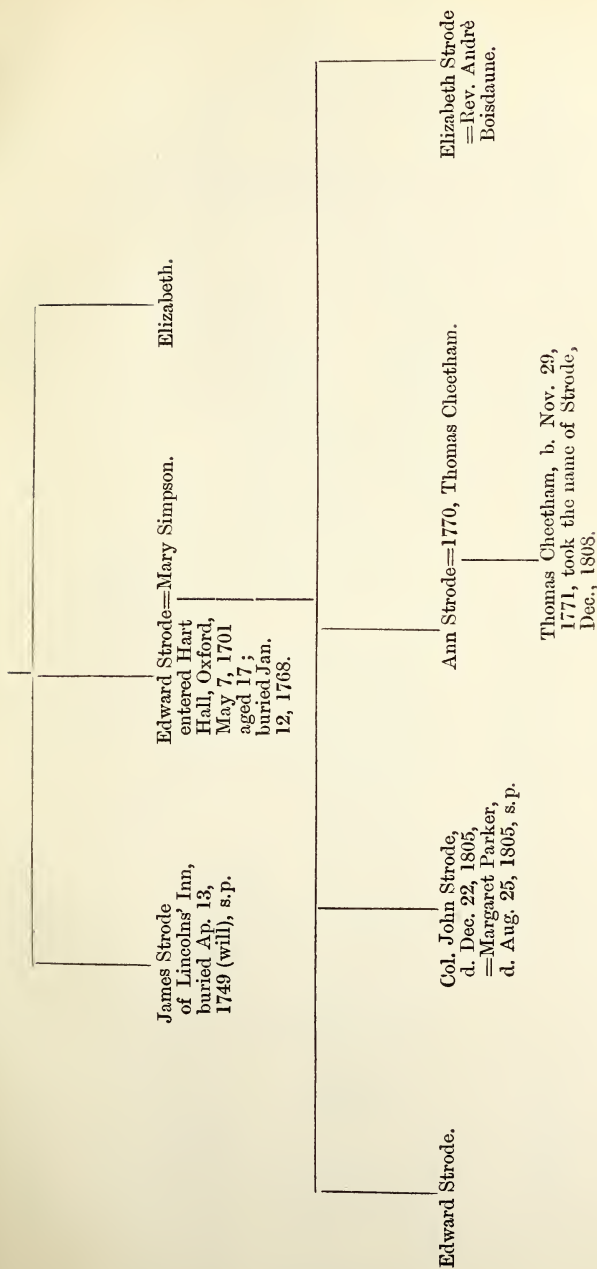
John Strode,
ancestor of Strodes
of Stoke Lane: an
uncertain pedigree.

Joan=Edward Bisse.

Gertrude.

Amy=William Kerby.

Sarah=.....Lewis.



Pedigrees of the Strode Family. (4).

William Strode=Elizabeth Upton.
(sheet 2).

Jefferye Strode.

Sir George Strode, Kt., of St. John's, =Feb. 11, 1615-6, Rebecca,
Clerkenwell. He bought the Manor dr. of Nicholas Crispe.
of Squerries, in Westerham, Kent.
Buried at Clerkenwell, June 2, 1663
(will).

William Strode.

Rebecca
=Oct 6,
1635,
Martin
Hervey;
he d.
1643.

Thomas
Strode
of Inner
Temple,
Nov.,
1637.

Ann
=Jan.
1641-2,
Ellis
Crispe.
Nov.,
1638.

George
Strode
of Inner
Temple,
Nov.,
1638.

William
Strode,
eldest
surviving
son, died
before
1663;
=Elizabeth
Cholmely.

Sir Nicholas Strode, Kt.,
knighted June 27, 1660,
of Westerham, Kent;
his will proved Aug 30,
1683; =Judith, dr. of Sir
Rowland Lytton,
Kt., of Kneb-
worthy, Herts;
relict of Maurice
Abbot; she died
March 13, 1662-3;
2, =Catherine, dr.
of John Savile of

Elizabeth
=Sept. 9,
1652, Thos.
Harlacken-
den, his 1st
wife; she
buried July
1, 1681; he
buried July
21, 1689.

John
Strode, Govnr.
of Dover
Castle; Mary
Savile; his will
proved June 16,
1686.

Edward
Strode.

Charles
Strode.

Mary
=1,
Feb. 16,
1652-3,
Richard
Hol-
worthy,
=2,
Essex
Strode.

Philip
Strode,
baptl.
Jan. 6, 1634-5,
merchant of
London; will
proved March
20, 1660-1, s.p.

Samuel
Strode

Methley, Yorkshire;
relict of Sir William
Cholmely of Whitby,
Bart.; her will proved
Dec. 21, 1710.

Sir George Strode, Kt., bapt. June 11, 1661, of the Inner Temple, and of Etchingam, Sussex; will proved June 26, 1707; 1=Margaret Davis, buried Oct. 15, 1686, s.p.; 2=Margaret Robinson; she=2, Charles Selby Amherst of Bayhill, Kent; her will proved Feb. 13, 1715-6.

Judith, bapt. Nov. 21, 1662, buried Dec., 1663.

Savile Strode of Smyrna, admn. Jan. 28, 1691-2.

Rebecca =June 18, 1685, William Wyndham of Lincolns' Inn; his will proved Dec. 8, 1696; her will proved Aug. 11, 1703.

Mary =Jan. 1, 1688-9, John Hyde of Sandridge, Kent.

Catherine, spinster, will proved Feb. 8, 1717-8.

Lytton Strode (to whom Sir William Lytton left the chief part of his estate, on condition of his taking the name of *Lytton*), died a bachelor, 1709. He left his estates to his step-brother, *William Robinson*, who took the name of *Lytton*. His will proved Feb. 17, 1732-3.

Notes on the Malet Family.

BY ARTHUR MALET, ESQ.

IN the late Rev. R. W. Eyton's *Domesday Studies* (vol. i. p. 60) is the following entry:—"We find no satisfactory statement as to the destiny or succession of Roger de Corcelle. The post-*Domesday* history of some of his manors is suggestive of two theories, but determinative of none. Either those scions of the house of Malet who eventually succeeded to many, if not most, of his estates were his right heirs by blood, or else he or his right heirs suffering absolute forfeiture, the said and other estates were re-granted by the Crown to aliens from the blood of Roger de Corcelle.

"The leading phenomena of the case are as follows. Robert Malet who lived in the time of King Henry I (1100—1135) held no fewer than ten knight's fees under the Abbot of Glastonbury. There can be no doubt that these knight's fees mainly co-ordinated with the vast estates, which Roger de Corcelle had held under the said Abbey at the date of *Domesday*, 1086. One of them—perhaps the chief—was Shepton Mallet; we name it because its name so far is its history. In the same fee (by which we understand the fief originally held under the Abbey by De Corcelle) and in the same reign Hubert de Sancta Susanna held two knight's fees of the same Abbey. In the year 1166, William Malet held under the Abbot of Glastonbury twelve knight's fees—that is, he held not only the ten fees held by Robert Malet, but also the two fees held theretofore by Hubert de Sancta Susanna.

"Another phenomenon as to the succession to Roger de Corcelle connects itself with his tenure *in capite* of the crown—his *Domesday* barony, in short. If we combine his two

moieties (312 hides each) of Curi, we get an estate of seven hides, all of which Roger de Corcelle held in demesne at the date of *Domesday*. In this respect of being held in demesne, and in respect of its size, Curi may well be accounted to have been the caput of De Corcelle's barony. Curi, like Shepton, came to Malet; and being held by Malet in demesne, was reported to be the caput of Malet's Somerset barony; thus too it obtained its still abiding name of Curry Malet.

"It is further apparent that a considerable number of De Corcelle's Somerset manors, constituting some twenty knight's fees, accrued to the house of Malet before the death of King Henry I (A.D. 1135), and were held *in capite per baroniam* by William Malet, in 1166; and the same, or it may be others of De Corcelle's manors, are constantly cropping up in Somerset history as having been held by Malet, or of Malet, or of the honour of Curry Malet. And yet we are far from saying that all De Corcelle's *Domesday* estates devolved on Malet; nor can we affirm that Malet had nothing in Somerset but what had previously belonged to a De Corcelle."

My object in bringing this extract from the late Rev. Mr. Eyton's work to the notice of the Society is this. I am engaged in the task of bringing into some order such of the ancient notices of the family of Malet as I can procure; and the difficulty felt by Mr. Eyton seems to be one that may possibly receive elucidation from some of the antiquaries who are assembled in the very spot of which he treats.

My own belief at present is that Gilbert, the younger son of William Malet, who fought at Hastings, married a daughter, a co-heiress, of Roger de Corcelle, and that his son Robert, with a younger son Hubert (called de Sancta Susanna), succeeded to portions of De Corcelle's estate, which through them devolved on the later barons Malet.

The Fosse Road at Radstock.

BY J. McMURTRIE, F.G.S.

THE general course of the Fosse road to the south of Bath is clearly shewn on the Ordnance and Saunders's maps. Collinson speaks of "the great Fosse road, running through the city from north to south," entering it by the "Porta Decumana or north gate," and leaving it by the "Porta Flumentana or south gate," leading to the river. By what means the river was passed does not appear, but the road extended onwards by Holloway and Devonshire Place to Odd Down, which it crossed very much in the line of the present turnpike. It here intersected the ancient course of the Wansdyke, which extended westward towards Englishcombe. On reaching the edge of the hill overlooking the village of Dunkerton, where the old turnpike gate formerly stood, the present highway diverges to the right, but the Fosse road keeps a perfectly straight course to the Swan Inn, at Dunkerton, where it again rejoins the main road. It was this locality, no doubt, which Collinson had in view when he wrote that "the Roman Fosse is here seen in its original perfect form; being raised very high, with a deep fosse or ditch on either side, imparting the name to this venerable relick of antiquity," and it may be noted that this is probably the nearest point to Bath where the road can be examined with advantage.

After passing the brook at Dunkerton, there is another slight divergence where the turnpike has been turned aside to find an easier gradient, but with this exception, the present highway has been constructed on the site of the old Roman road, all the way from Dunkerton by way of Camerton and Woodborough, until it enters the parish of Radstock, at Round Hill. Near this point, about 220 yards to the south of the



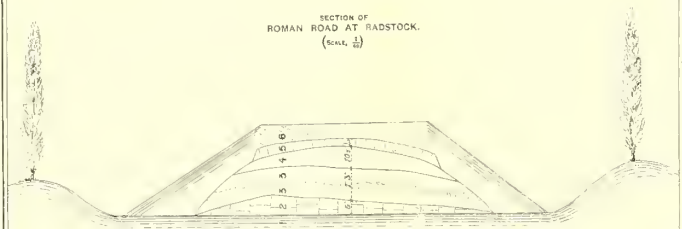
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SECTION OF
ROMAN ROAD AT RADSTOCK.
(Scale, $\frac{1}{100}$)



- REFERENCES
- 6. METALLING OF LATER DATE.
 - 5. SUBSIDED TROCHUS, OR GUNNY CAUSE.
 - 4. NUCLEUS.
 - 3. NUCLEUS.
 - 2. STAMEN, OR STATUMEN.
 - 1. PAVIMENTUM.

road, there is a very fine barrow, believed to have been opened by Mr. Skinner, and close by he is said to have discovered an extensive group of villas, on which he founded the important theory, that these were the veritable remains of the Roman city of Camulodunum, previously associated with Colchester. Collinson, speaking of this spot, says "large foundations of buildings have been seen," and "near the Fosse were heretofore found some large bones and part of a tessellated pavement." The Ordnance map also shows Roman remains of considerable extent on both sides of the road at this point, but the plough has been busy since those days, and not a vestige of all this is now to be seen, save only the magnificent barrow already spoken of, which it is to be hoped will be handed down to future generations.

After passing this spot, and on reaching the brow of the hill near Smallcombe, the turnpike road and the Fosse again part company; the former winding circuitously through the village of Radstock, while the Fosse keeps a perfectly straight course from Smallcombe to the Great Elm at Westfield, about a mile to the westward, where it again rejoins the turnpike road leading to Shepton and Wells. In descending through the hamlet of Smallcombe the ancient structure of the road has been lost, but after passing the Smallcombe brook it ascends the opposite side of the valley by a gradient so steep as to be impassable to modern traffic, and being entirely distinct from the existing highways, it has come down to us with little alteration from the days of the Roman occupation. This is especially true of the elevated ridge of table land which had to be crossed between the Smallcombe and Midsomer Norton brooks, where, according to Collinson, "this road for about a quarter of a mile is visible almost in its original state, being raised high above the side-dikes, about six feet broad, having a convex surface, and may possibly remain a monument of antiquity for many ages to come." It was this part of the Fosse which was visited by the Society.

It is to be remarked that here, and indeed throughout a considerable part of its course, the Fosse forms the boundary between many of the adjacent parishes and manors, which may be regarded as an evidence of its great antiquity.

In continuing southward from Radstock, the Roman road passes through the village of Stratton-on-the-Fosse, to which it gives its name, and thence by way of Oakhill and Shepton Mallet towards Ilchester; but for the most part the more ancient road has been incorporated with the modern highway and its structure lost.

DESCRIPTION OF THE FOSSE ROAD AS SEEN AT RADSTOCK,
AND GENERAL STRUCTURE OF ROMAN ROADS.

The general appearance of the Fosse road at Radstock is very striking. The land on each side being perfectly level for some distance, the road rises boldly above it in a prominent ridge, flanked by a deep ditch on either side, the whole being bounded by hedgerows of by no means recent date, although modern, probably, compared with the ancient structure which they enclose.

The most interesting feature presented, is the formation of the road itself as exposed in the section, showing an extraordinary amount of care and skill. It may be useful in the first instance, however, to notice the general structure of Roman roads, as laid down by Vitruvius:—

“The Romans began the construction of roads by making two parallel furrows the intended width of the road, and then removed all the loose earth between them till they came to the hard, solid ground, and they filled in this excavation with fine earth, hard beaten in. This first layer was called the *pavimentum*. Upon it was laid the first bed of the road, consisting of small square stones, nicely ranged on the ground, which was sometimes left dry, but often a large quantity of fresh mortar was poured into it. This layer was called *statumen*. The next was called *rudus* or *ruderatio*, and consisted of a

mass of small stones broken to pieces, and mixed with lime in the proportion of one part of broken stones to two of lime. The third layer or bed, which was termed *nucleus*, was formed of a mixture of lime, chalk, and pounded or broken tiles or earth, beaten together; or of gravel, or sand and lime mixed with clay. Upon this was laid the surface or pavement of the road, which was called technically *sumum dorsum* or *summa crusta*. It was composed sometimes of stones, set like the paving-stones in our streets, and sometimes of flag-stones, cut square or polygonally, and probably more often of a firm bed of gravel or lime. The roads were thus raised higher than the surrounding grounds, and on this account the mass was termed *agger*."

Similar information, with slight variations, appears in the works of other writers, and in cutting through the Fosse road at Radstock I was curious to ascertain how far it would be found to agree. I was much gratified to find that this local section exactly confirmed the description given by Vitruvius, layer corresponding with layer throughout the entire structure.

In order to show its formation with greater exactness, I have had a section prepared, which gives a general view of the road, and of its elevation above the adjacent land. It will be observed from this section that after cutting through the Roman work the original soil was met with at a level corresponding as nearly as possible with the surface of the adjacent fields, the whole formation of the road having been raised above that level. The ditches on each side are little, if at all, below the level of the soil, the hedge-rows having been thrown up, so that they also rise above the adjoining land. These hedge-rows are necessarily shown in the section, but they may be dismissed entirely from our minds in considering this beautiful example of Roman work. The road was doubtless constructed originally through a country only partially cleared, and many centuries may probably have elapsed before the lands were enclosed, and fences became necessary for the purposes of

cultivation. With the hedge-rows omitted, the section may be taken to show the road as it left the hands of the Roman engineers.

Taking the section in ascending order, I would observe that although we have in the bed of soil reached the true representative of the Pavimentum described by Vitruvius, there is nothing in its appearance to show that it was fine earth pounded and beaten in, in the manner described.

Upon its surface we find a layer of rubble stones exactly corresponding with the Statumen of Vitruvius, and in this instance no lime appears to have been used. This course, which is five inches thick in the centre, thins off on each side, and each bed in ascending order becomes more convex in form.

Next in order is a bed of concrete of a very distinctive character, about one foot three inches in thickness, agreeing with the layer termed Rudus. It is for the most part exactly what he describes it, "a mass of broken stones mixed with lime," the greater part of the material being of a yellow colour, and evidently derived from the Lias or Oolite formations of the locality. Near the middle of the bed, however, there is a thin layer of red marl and pebbles, entirely different from the other material, although amalgamated with it. Nothing exactly like it occurs near the spot, and I imagine it must have been derived from the Dolomitic Conglomerate in the neighbourhood of Stratton-on-the-Fosse, which it most resembles.

Resting on the bed I have described is another layer of finer material, consisting apparently of Inferior Oolite or Lias pounded very fine, mixed with lime, and well rammed, which we can have little difficulty in identifying with the Nucleus bed of Vitruvius. It is $10\frac{1}{2}$ inches deep in the centre, but thinner at the sides, its upper surface being rounded off very symmetrically.

On this was laid a course of paving stones, which evidently formed the ancient surface of the Roman road. It is from four to five inches in thickness, and consists of the thinner

beds of the Lias, common in the neighbourhood. According to Vitruvius this course, termed *Summum dorsum*, was composed sometimes of stones set like the paving stones in our streets, and sometimes of flag stones cut square; but in the Fosse road, at Radstock, it consists of stones of all sizes and shapes put together as random work, the lime having probably been poured in afterwards. In this way the whole surface of the road was so firmly cemented together, that in removing it during the recent excavations, the stones more frequently split through the solid than separated at a joint.

On my first inspection, only 18 inches or so in length of this pavement had been laid bare, and beyond the smoothness of its upper surface, there was no apparent evidence of the purposes to which the roads had been applied. Feeling assured, however, that a close examination of a larger surface area could not fail to throw light on this part of the subject, I afterwards had the ancient surface laid bare for three or four yards in length, and I was more than gratified to find two clearly defined ruts, worn in the stone by the wheels of chariots or other carriages, which it is fair to assume must have passed over it during the Roman occupation. These wheel tracks are two feet nine inches apart, or about three feet from centre to centre; so that, although the surface of the road was only about six feet in width, it was sufficient for the passage of the narrow vehicles then apparently in use. The rut on the northern side of the road is deeper and more sharply defined than the other, being about two inches wide, and two or three inches deep; while that on the opposite side is wider, shallower, and less distinct. Their appearance thus laid bare, after the lapse of 1500 years, was most impressive, calling up forcibly to the imagination the Roman legions which must have passed along this road in ages long since passed away.

The ancient surface of the road has in later times been covered by a coating of broken stones and earth, as shewn in the section. This may probably have been done to widen the

surface of the road, and admit of the more convenient passage of stock from one field to another, which is the only purpose it at present serves ; but of the time and circumstances under which this surface layer was added nothing is known.

I would only add, in conclusion, that although careful watch was kept in the course of these excavations, no coin, implement, or pottery was found, nor anything to fix definitely the age of this interesting example of Roman work.

The Prebend of Dinder.

BY REV. C. M. CHURCH,

Sub-Dean and Canon Residentiary of Wells Cathedral.

THE grey Perpendicular tower of Dinder church is familiar to us all. It stands in a vale of green meadow, wood, and stream, as sentinel at the gate of the hills which fold themselves behind it at the entrance of the deep combe which winds eastward through the steep and wooded banks of Crosscombe and Bowlsh to the topmost ridge of Doulting. It stands at the gate of the hills where the stream which has come down through the combe from the well of St. Aldhelm at Doulting, breaks out into the meadows of the valley.

‘Denren,’ Valley of the Stream,¹ is the earliest form of name of the hamlet which grew up at the outlet of the Doulting stream—‘Den,’ valley, and ‘ren’ or ‘ryne’ (common word in Somerset for water-course), became Dynr, Dynra, Dynder, in the changes of pronunciation and writing.²

(1). Professor Earle writes to me, “Supposing Denren to be the oldest form, I see nothing better than your proposed etymology, viz., ‘den,’ valley, and ‘ren,’ stream. The commonest word for a water-course is ‘Ryne’ cursus; from the word ‘run’ currere; and this word is also written ‘rene,’ and as second part to a name, ‘ren’ is no more curtailed than might be expected. Then there is a satisfactory way of accounting for the loss of the ‘n’ in that habit of eliding final syllables that looked like old inflections, and ‘en’ was pre-eminently such a syllable. So you get from 1123 onward, Dynr, Dynre.

“The next step is to get in the ‘d.’ This is quite plain: it is excrescent—growing out of the contact of ‘n’ and ‘d,’ exactly as in Greek ‘andros’ for ‘aneros,’ and as ‘thunder,’ which in Anglo-Saxon is ‘thunor,’ and in German, ‘donner.’ So I think the whole form is reasonably accounted for, and I greatly prefer this to any of the British suggestions.”

(2). The forms of the name at different periods have been thus written:—

Deuren	...	1064	...	...	Kemble, <i>C.D.</i> , 816.
Dynr	...	1123	...	...	R. i. f. 16.
Dynre	..	1174	...	...	R. i. f. 46-7; iii. 333.
Dynra	...	1223—1268	...	...	R. iii. f. 403. ” ”
Dindra	...	1494	...	...	<i>Valor Ecclesiasticus</i> .
Dyndre	...	1536	...	...	Q. Elizabeth’s Charter.
Dynder	...	1591	...	...

Small and of no reputation, except for picturesque site, as 'nest in a greenhold' between the craggy ridge of Dultingcot, and the wooded slopes of Lyatt, Dinder, from the beginning of its history to the present time, has always held a separate, and peculiar position among the villis and prebends belonging to Wells.

I. Dinder as a Knight's Fee, A.D. 1123—1268.

'Denren' first appears by name among the possessions of the church of Wells in Edward the Confessor's confirmation of lands to Bishop Gisa, in 1064.¹ It was the frontier station in the valley on the border of the Glastonbury manor of Doultling consisting of the 20 casates on either side of the river of Doultling ("ex utroque margine fluminis cujus vocabulum est Dultin"), which Ine had given to Abbot Berwald, in 705.² Included in the manor of Wells, it is not mentioned by name in the *Domesday* survey of 1084.³

When Bishop Robert (1136—1166) was making prebends out of the neighbouring lands of Dultincote and Chilcote, of Wormestor and Whitchurch in Binegar, Dinder was not as yet numbered among the prebends. Before Bishop Robert's time, it had been granted as a lay fief by Henry I to his predecessor Bishop Godfrey. For nearly 150 years, until 1268, 'Dynre' stands separate and isolated from its neighbours as a knight's fee, held by the Bishop under the crown. During all this

(1). Denren is enumerated among the 50 manors belonging to the home estate of the Bishop in a group of villages on the eastern side of Wells, still bearing the same names. "Horningedune et oder Horningedune (Horrington), Hiwite circe (Whitchurch), Begenhanger (Binegar), Denrenn (Dinder), Dul-ticotan (Dulcote), Welsleg (Wellesleigh), Celicotan (Chilcote), Wuormestor, Wandestreu (Wanstrow)," and others. R. iii. f. 241; *Dugd. Mon.*, ii. f. 286.

(2). Kemble, *C.D.*, 49—73; Birch, *Cart. Sax.*, 112, 113.

Mr. F. H. Dickinson has kindly allowed me to see his notes on the charter. The boundaries on the western side appear to have run from Whitelake to Churchill, over Dinder, across the stream and up the hill to Crapnell, and through Maesbury—nearly corresponding with the Dinder and Croscombe boundaries.

(3). Eyton, *Domesday Studies*, i. 144; ii. 22-3. "The *Domesday* manor of Wells involved the bulk of seven parishes; the three parishes of Wells Forum in Wells itself, and the other four—Binegar, Dinder, Wookey, Priddy; these have no nominal mention in *Domesday*."

time it appears connected with the distant manor of Dogmersfeld, in Hampshire.

The manor of Dogmersfeld and the feodum of Dynre were granted together, in the same document. The claim of the Bishops to both was afterwards disputed, and tried in the King's Court, and the two were at last secured and confirmed to the Bishop in the same document, by Henry II and Rich. I, and Pope Alexander III.

In 1123, Henry I, then at Winchester, made two grants to Godfrey, Bishop of Bath, of the manor of Dogmersfeld and of the feodum of Dynre.¹

Bishop Godfrey, a foreigner from the Netherlands, was chaplain and chancellor to Adeliza, of Löwen, second Queen to Henry. The manor of Dogmersfeld was near the royal castle of Odiham, and it may have been a satisfaction to the Queen to have had her chaplain near her. The advowson of Dogmersfeld was given to the abbey of Bath.² The manor became a favourite residence of the Bishops. Bishops Reginald and John de Drovensford died there,³ and it remained in the possession of the see until the 16th century,⁴ when, in the days of surrender which preceded spoliation, Bishop Clerk surrendered it to Henry VIII, in exchange for the hospital of St. John at Wells.⁵

At the same time and in the same document the fee of Dynre was made over by the Crown to the Bishop as a layfief for the support of one knight, who should be the Bishop's

(1). R. i. f. 16 *in dors.*

(2). Dugd. *Mon.*, ii., xiv. App. Bath Abbey. Bishop John de Villula (charter to monks of Bath), acknowledges 'Docme maresfeld' as part of the Abbey endowments.

(3). R. i. 181.

(4). In the *Valors* of 1290 and 1536, the manor is rated at £20 and £25, as part of the Bishop's temporalities.

(5). Collinson, iii. 409. The site of the hospital, and lands at Pinkesmore, Wokey, East Wells, Southover, the rectory and advowson of Evercreech were (36th Henry VIII) granted to Bishop Clerk, in consideration of manor and park of Dogmersfeld.

man.¹ The fee of Dynre was now held directly, *in capite*, by the Bishop as a temporal tenant, and he thereby was entitled to the privileges and bound to perform the services of a tenant under the Crown, as far as Dynre was concerned.

But the Bishops were not left undisturbed in their possessions of either Dogmersfeld or Dynre. About forty years after, when Bishop Robert had succeeded, "William Fitz-John of Herpetre unjustly took from Bishop Robert the fee of Dynre."² The lord of Herpetre at the time was William Fitz-John, son of John, fourth son of Ascelin de Perceval, who in time of Henry I was lord of Cary, Herpetre, Easton and Weston in Gordano, Batcombe, Stawell.³ 'Lupus' and 'Lupellus' had become the unenviable appellation of father and son, disguised afterwards in the family name of Lovel. John inherited Ferringdun and Herpetre, and during the anarchy of Stephen's reign the lord of Herpetre had joined the party of the Empress and built his castle at East Herpetre, where he was besieged and his castle burnt by Stephen. William Fitz-John, his son, had so far advanced his fortunes, that in the 12th year of Henry II (1166), he certified that "he was possessed of thirteen knights' fees, and one half, and the fourth part of one knight's fee,"⁴ and among these it may be were included the Bishop's meadows in the vale of Dynre, which he claimed before 1166.

But the spoliation of the father was atoned for by the devotion of the son. A period of reaction followed the reign of lawlessness and rapine in Stephen's time. The episcopate of Bishop Reginald (1174—1194) is remarkable for the many and bountiful gifts of land to the church, from Somersetshire landlords.⁵ In 1178, William de Herpetre, son of William

(1). R. i. f. 16. The value of a knight's fee was at the time about £20 annually. Stubbs's *Const. Hist.*, i. 262. Four hides=640 acres, constituted a knight's fee in land, according to the measure of Glastonbury. *Liber de Hen. de Soliaco*, 1189.

(2). R. iii. f. 333.

(3). *Som. Arch. Proc.*, vii. 88--93.

(4). Collinson, i. p. 141; ii. p. 137.

(5). R. iii. f. 13, *in dors.* contains a list of grants in Bishop Reginald's time.

Fitz-John, made a solemn act of restitution of the fee of Dynre, with hand on the Holy Gospels, and with the pledge of offering a gold ring every year on the altar of Holy Cross, in the chapter house of Wells; and Godfrey de Dynre, who had held under the lord of Herpetre, did homage as tenant of Bishop Reginald.¹

But another claimant soon after arose to dispute the right of resignation by William de Herpetre. Henry de Tille, of another branch of the Lovel family, lord of West Herpetre (afterwards Harptre Tilly, as East Herpetre became Harptre Gournay), claimed to be the tenant to hold Dynre under the Bishop, instead of Godfrey de Dynre. The terms of composition made in the King's Court show that he had some ground for his claim. Henry de Tille finally surrendered his claims both to Dogmersfeld and Dynre; they were confirmed to Bishop Reginald by the King, '*in liberam elemosinam*,' and Godfrey de Dynre was confirmed in his tenure under the Bishop, "*per servitium unius militis*;" but Bishop Reginald was called upon to pay over to Henry de Tille 100 marcs.²

Successive charters, by Henry II, by Richard I, and by Pope Alexander III, confirm both Dogmersfeld and Dynre to Bishop Reginald.³

Dogmersfeld and Dynre, still bound together in their history, became in turn prebends in the church of Wells.

In 1215, when Bishop Jocelin of Wells was completing Bishop Robert's work on fabric and constitution, the Prior and Convent of Bath ceded to the Bishop the advowson of

(1). R. i. f. 60; cccxxiii. *Carta de feodo de Dinre*; R. iii. f. 333; R. iii. f. 391; charter of William de Herpetre.

(2). Henry de Tille of West Herpetre, in 6th Richard I, paid £14 15s. as scutage for the King's ransom. In 3rd John, Henry de Tille and William Fitz-John, his brother made a compromise, whereby Henry gave to William (*a*) all he had in the honour of Herpetre,—10 knight's fees,—and (*b*) what he held in the fee of Glastonbury, in Downhead, Stoke, and Baceangre (Binegar), and (*c*) of the Bishop of Bath, Wocha hol (Wookey Hole), and Meanlingsberge (Meis-bury); half a knight's fee and one hide in Westbury. (*Hardy's Patent Rolls*, p. 8; Cf. Collinson, ii. 141.

(3). R. i. f. 16, f. 46; *Carta de Dogmersfeld*, R. ii. cccxxii.; *Carta de feodo de Dinre*, R. iii. f. 266—333; *Confirmatio P. Alex.*, iii. 333.

Dogmersfeld, and the pension of 20 solidi, which they were wont to receive through the hands of the parson of Dogmersfeld. The Bishop therewith founded a prebend of Dogmersfeld, and appointed thereto Luca, one of his clerks.¹

In 1223, the advowson of the church of Dynre was given to Bishop Jocelin by William Flandre de Dynre—possibly the builder of a church there, of which he became thereby the patron.² The document conveying the grant of the advowson is set out in full in the *Liber Albus*:—

“Carta Willelmi fflandre de ecclesia de Dinr feod Joscelino Epō.³

“Omnibus Xti fidelibus ad quos presens carta pervenerit, Willelmus Flandre de Dinr salutem in Domino, Sciatis me in intuitu Dei et pro salute animæ meæ et omnium antecessorum et parentum meorum dedisse, concessisse, et presente carta confirmasse venerabili patri Domino Joscelino Bathon Epō advocationem ecclesiæ de Dinr cum pertinentibus suis, volens et concedens pro me et heredibus meis quod predictus Dominus episcopus et omnes successores sui in perpetuum de dicta ecclesia de Dinr cum pertinentibus et ipsius advocatione pro voluntate sua ordinent et disponent absque reclamazione et contradictione aliqua mei vel heredum meorum.

“Hujus testibus Domino Roberto Abbe Glaston, Farannio de Bonon, Rogo Tyrel militibus, Thom. de Altavill, Waltō Camerario, Philippo de Wyke, Waltō de Reygm, Thom. de Palton, Gilib'to de Gymel; et aliis.”

II. Dinder as Prebend, A.D. 1268.—Prebenda sine curâ.

Forty-five years later, in 1268, Bishop William de Bytton, second of the name, gave up the advowson and the fee, and made Dynre a prebend, like the neighbouring hamlets of Dultincote, Chilcote, and Wormestor. The prebend of Dogmersfeld now disappears, and Dynre takes its place. The circumstances connected with the creation of the prebend of

(1). R. i. f. 46, clxxx. R. iii. f. 353.

(2). R. iii. f. 403.

(3). R. iii. f. 403, *in dors.*

Dynre are recorded with much care in the *Chapter Registers*.

At the beginning of the episcopate of Bishop Bytton the 2nd (1267—1274), a controversy of long standing was going on between the Dean, Edward de la Cnoll, and Richard Bamfeld, one of the prebendaries of Wedmore, and now holding also the prebend of Dogmersfeld. Bishop Jocelin, in the last year of his life (1242), had attached the Dogmersfeld pension to the church of Mark, and united Mark to the church of Wedmore, which belonged to the Dean, to be held as one benefice.¹ But Richard Bamfeld claimed six marcs as due to him from the church of Mark, and as part of his prebend. Both parties referred the matter to the Bishop's arbitration, and submitted themselves to his award. The Bishop's award is given in the Act of 'imprebendation' of Dynre, which is set out in full in the *Liber Albus* (i. f. 85). He confirmed the Dean in possession of Mark, but created the prebend of Dynre to compensate Richard Bamfeld for his loss.

"Imprebendatio ecclesie de Dinre."²

"Universis Christi fidelibus presentes literas inspecturis vel audituris Willelmus miseratione divina Bathoniensis et Wellensis episcopus salutem in salutis auctore.

"Ad reformandum inter nobis subditos pacis bonum, et eos maxime qui tanquam filii peculiares nobis ut patri, et membra capiti, indissolubili coherent glutino, eo libencius laboramus quo relatione mutua in eorum tribulationibus atterimur et molestiis molestamur.

"Hinc est quod dudum inter dilectos filios E. Decanum Wellensem ex parte una, et Ricardum de Bamfeld canonicum Wellensem ex altera, super eo quod idem Decanus solutionem annuam sex marcarum quas idem Ricardus tanquam prebende sue in ecclesia Wellensi debitas, prout asserit, de ecclesia de Merke percipit, eidem Ricardo silentium perpetuum imponi, et se et successores suos Decanos Wellenses ac predictam ecclesiam de Merke a solutione hujusmodi tanquam indebita

(1). R. i. f. 51; R. ii. f. 44; R. iii. f. 449.

(2). R. i. f. 85.

petebat absolvi, orta materia questionis, eedem tandem partes incommoda litium detestantes, ordinationi nostre super questione hujusmodi se totaliter submiserunt, excepto quod idem Ricardus in submissione pro parte sua facta prebendam suam in dicta ecclesia Wellensi expresse retinuit et jus etiam canonie.

“Nos autem pacem ut diximus inter partes ponere cupientes, considerata tenuitate et exilitate prebendarum Wellensis ecclesie memorate, ac incommoditate rectoris ecclesie de Dogmersfeld, que de nostro patronatu existit, super solutione pensionis annue viginti solidorum facienda prebende, quam habet idem Ricardus in ipsa Wellensi ecclesia, affectantesque nichelominus ecclesie predicte de Merke quam nuper dedicavimus, rectoribus que Decanis Wellensibus nomine dotis libertatem adquiri, de capitulorum nostrorum Bathoniensium et Wellensium consilio et assensu capellam de Dinre in qua jus advocacy habemus prefate ecclesie Wellensi imprebendamus.

“Volumus etiam et ordinamus quod quamprimum ipsam vacare contigerit, dictus Ricardus, cui ex tune loco prebende in dicta ecclesia Wellensi capellam ipsam assignamus, nostro aut successorum ipsorum seu cujuscunque alterius assensu minime requisito libere ingrediatur et suo perpetuo cum omnibus suis pertinentiis integritate teneat ut prebendam, salvo nobis et successoribus nostris post ipsius Ricardi obitum vel cessionem jure conferendi ipsam prebendam de Dinre cui voluerimus idoneo, sicut ceteras facimus in Wellensi ecclesia sepedicta.

“Ordinamus insuper quod prefato Ricardo vel alio per nos aut successores nostros predictam prebendam de Dinre pacifice assecuto, predicte pensiones sex marcarum de ecclesie de Dogmersfeld supradictis omnino cessent, quodque Decani Wellenses et rectores ipsius ecclesie de Dogmersfeld qui pro tempore fuerint a prestatione ipsarum pensionum perpetuo liberentur.

“Et quum corpora defunctorum parochianorum ipsius capelle de Dinre apud suam matricem ecclesiam Sancti Cuthberti Wellie tumultantur, iidemque parochiani prefate ecclesie subduntur ut juri, de ipsorum capitulorum nostrorum et Johannis

vicarii ipsius ecclesie Sancte Cuthberti expresso consensu, attendentes quod Canonici ecclesiarum Cathedralium in hujusmodi ecclesiis residere et deservire habeant ac per hoc a curis animarum in parochialibus ecclesiis que imprebendantur eximi debeant, ordinamus quod quam primum capellam predictam vacare contigerit parochianorum ipsius animarum cura apud vicarium remaneat memoratum, ita quod Canonicus ipsius prebende ad eam nulla tenus teneatur; ad quam regendam ut convenit sub dicto vicario, ad curam et sollicitudinem ejus relevandam prefatus Ricardus et successores sui Canonici Wellenses qui dictam prebendam de Dinre pro tempore habuerint, eidem vicario et successoribus suis capellanum idoneum presentabunt sumptibus ipsius canonici totaliter sustentandum qui in sua admissione ad regimen cure predictae eidem vicario sacramentum prestabit quod in hoc et aliis erga ipsum vicarium fideliter se habebit, volentes quod in relevatione oneris quod eidem vicario ex hoc incumbit idem vicarius et successores sui de fructibus et proventibus memorate capelle unum quarterium frumenti et octo bussellos bone avene percipiant annuatim in festo Nativitatis Domini per manus Canonici qui pro tempore prebendam habuerint antedictam, ad quorum solutionem si necesse fuerit per nos aut officialem nostrum Decanum seu subdecanum Wellensem qui pro tempore fuerint, de plano et sine strepitu judiciali compelli volumus canonicum sepe dictum, salvis etiam eidem Vicario nichilominus omnibus que ante hanc ordinationem de dicta capella percipere consuevit, ac etiam dictis decano et capitulo decimis et aliis juribus secundum quod percipere consueverunt in parochia capelle supradicte temporibus retro actis, salva insuper nostra et successorum nostrorum ac ecclesiarum nostrarum in omnibus dignitate.

“In cujus rei robur et testimonium presentibus literis nostrum fecimus apponi sigillum—datum in capitulo nostro Wellensi ij Noñ April anno Domini MCCLX octavo, et pontificatus nostri primo.”

“Whereas there has been for some time past a contention between our beloved sons E[dward] Dean of Wells on one part, and Richard Bamfeld, Canon of Wells, on the other, on this ground, that the Dean wished Richard to be silenced with respect to the annual payment of six marcs which he receives from the church of Merke, due as the said Richard asserts, to his prebend in the church of Wells, and that the Dean and his successors and the church of Merke should be absolved from this payment as not due. Now at length the parties, in detestation of the evils of litigation, have submitted themselves entirely to our ordering on this question, Richard only excepting from this his submission that he expressly retained his prebend in the church of Wells, and the rights also of a canon.

“But we, desirous, as we have said, of making peace between the parties, and taking into consideration the poverty and barrenness of the prebends of the church of Wells, and the disadvantage to the rector of the church of Dogmersfeld, which is under our patronage, by the payment of the annual pension of 20 solidi for making the prebend which Richard holds in the church of Wells, and no less wishing the church of Merke, which we have lately dedicated, and the rectors, the Deans of Wells, should be released from the claim of endowment, we, with the counsel and assent of our Chapters of Bath and Wells, make a prebend in the church of Wells of the chapel of Dinre, of which we have the advowson.

“We will also and ordain that as soon as it shall happen that this chapel is vacant, this same Richard, to whom thenceforward we assign the chapel as a prebend in the church of Wells shall enter into possession freely without requiring the assent of us or our successors, and hold it in perpetuity as his prebend, with all its appurtenances, saving our right of conferring that same prebend of Dinre on any fit person whom we will, as we do other prebends in the church of Wells, after the death or resignation of Richard himself.

“We ordain, moreover, that when the said Richard, or any other, has peaceably obtained the prebend of Dinre, through us or our successors, the aforesaid pensions of six marcs from the church of Dogmersfeld shall cease altogether, and the Deans of Wells and the rectors of that church of Dogmersfeld, from time to time, shall be freed in perpetuity from the payment of these pensions.

“And, whereas the bodies of parishioners of this chapel of Dinre are buried at the mother church of St. Cuthbert, Wells, and the same parishioners are lawfully subject to the said church, now we, with the express consent of our Chapters, and of John, Vicar of the church of St. Cuthbert, and mindful that Canons of Cathedral churches having to reside in these churches and serve there, ought thereby to be exempted from the cure of souls in the parochial churches which are their prebends, we ordain that as soon as it shall happen that this chapel is vacant the care of souls of the parishioners shall remain with the aforesaid Vicar, so that the Canon of this prebend shall in no wise be bound to it. And to the due governance thereof under the said Vicar, and to the lightening of his care and anxiety therein, the said Richard and his successors, Canons of Wells, who from time to time shall hold this prebend of Dinre, shall present to the Vicar and his successors a fit chaplain, who shall be wholly supported at the expense of the Canon, and who in his admission to the governance of this cure shall take an oath to the Vicar that he will hold himself faithful in this and other things towards the Vicar. And it is our will that in the lightening of the burden which herefrom lies upon the Vicar, he and his successor shall receive from the fruits and produce of the chapel, one quarter of wheat and eight bushels of good barley every year, on the Feast of the Nativity, through the hands of the Canon who from time to time shall hold this prebend; and if it should be necessary, we are willing that the Canon should be compelled to this payment through our intervention, or our

official, the Dean or Sub-Dean of Wells, from time to time.

“Not the less, we reserve also to the said Vicar all which he has been in the habit of receiving from this chapel previously to this ordinance, and also tenths and other rights to the Dean and Chapter, according as they have been accustomed to receive in the parish of the chapel in times past, and we reserve, moreover, our dignity and that of our successors and of our churches in all things.

“In support and testimony whereof we have affixed our seal to these letters, given in our Chapter of Wells, the second of the Nones of April, 1268, in the first year of our pontificate.”¹

This deed has an interest wider than the local questions connected with the Dinder prebend, as illustrating the Cathedral history of the time.

The act is done in the Chapter House at Wells, in council with the Chapters of the two churches, the Dean and Canons of Wells, the Prior and Convent of Bath, and it shows the harmonious working of the Bishop with his Chapters as his Council at this time—as “a father with his sons: as the head with the members of the body.”

Bishop William de Bytton belonged to a family from the village of Bytton, on the north bank of the Avon valley, which about this time gave many of its members to the church of Wells, and seemed to have acquired an hereditary interest in its offices and dignities.² Three of the family held the Archdeaconry of Wells between 1243—1284; two of these, uncle and nephew, succeeded to the Bishopric; the other, Archdeacon in 1270, Dean in 1284,³ became Bishop of Exeter

(1). We have an instance of the partial detachment of a chapelry in the neighbourhood from the mother church of St. Cuthbert's, a few years before. Jan. 12, 1260, Philip de Bytton obtained leave from the Dean and Chapter for celebration of Divine offices at his chapel of (Maulesberg) Melsbury. John, the Vicar, assenting, on condition that all offerings made at the four great feasts; and those which Philip was bound to pay as parishioner, should go to the mother church of St. Cuthbert, saving only one penny a day to the Dean and Chapter. For this he was to pay two shillings and sixpence. R. i. f. 106.

(2). Godwin de Præsulibus.

(3). R. i. f. 31, *in dors.*

in 1291. Others of the family held offices at Wells about the same time, as Precentor, Provost, and Treasurer.

Bishop William the 2nd, elected 1267, bore the reputation of great sanctity. For this reason, at Archbishop Kilwarbey's consecration, in 1273, he was specially chosen by the Archbishop to be one of his consecrators;¹ and the popular belief that miracles were worked at his tomb after death, attested his sanctity. An incised slab of black marble in the south aisle of the choir of Wells marks the place of his burial.

Edward de la Cnoll, 10th Dean, elected September 19, 1256, lived through three episcopates, to September 10, 1284. He was employed by Henry in negotiations with France in 1264, and he has left his mark at Wells, as counsellor with two Bishops, and author of two codes of statutes, in 1259 and 1273.

Richard Bamfeld, Canon of Wedmore and Dogmersfeld, and afterwards of Dynre, was a man of importance and substance among the Canons of his time. In 1262 he was one of the proctors of the Chapter deputed to treat with the monks of Bath on the election of a successor to Bishop William Bytton 1st. In his life-time he gave the Dean and Chapter lands and houses: 55 acres at Wokeyhole and Dultincot; houses in Wells,—among others, the site of the present vicarage house of St. Cuthbert's. By his will, proved in the year following the foundation of the Dynre stall, he left lands at the same places to the Dean and Chapter, on condition that masses should be said on the anniversary of his death, for his soul, and the soul of his father and mother, at the altar of St. Edmund, Archbishop and confessor, near the place in the Cathedral church which he had chosen for his burial.²

(1). *Matt. Paris*, 860. *Angl. S.*, i. 566.

(2). *R. i. f. 87*; *R. iii. f. 239*. "Cantaria Ricardi Bamfeld, Canonici Wellensis, viz., Canon. de Wedmore et Dogmersfeld postea de Dynre, 1269."

2 Priests to say masses at St. Edmund's altar on anniversary of his death;
50 shillings to each Priest;

3 shillings 4 pence for 2 wax candles, to be burnt during mass;
200 poor to receive one farthing each;

The *Chapter Register*, which contains at full length the im-
 prebendation of Dynre, contains also, in the will of the first
 Prebendary of Dynre, the fullest detail yet given there of an
 endowment of an obit or anniversary service for the soul of
 the departed. It is significant of the change that was taking
 place at this time in the religious feeling as to endowments.
 Through the last century and a half, benefactions to the church
 had taken the form of endowment of prebends and offices in
 the Cathedral church, which would tend to benefit posterity,
 by making the church the home of devotion and learning.
 Now in the prominence given to the doctrines of purgatory
 and indulgences, the church was preaching the duty of the
 living towards the dead—the power of prayer and alms-deeds
 for the departed. “The offerings of the dead became the
 trade of the living,” and the foundation of chantries and obits
 was one of the most fashionable forms of religious endowment.
 Within the latter half of the 13th century, not fewer than twelve
 obits or chantries were founded at one or other of the many
 altars in the Cathedral church, and in 1401 a college was
 founded at la Mountery, in the North Liberty, by Bishop

20 pence to second poor—“*languidioribus qui pro pudore mendicare
 erubescerent* ;”

12 pence to the Communar and the Priest who distribute the alms ;

10 shillings to the Canons who take part ;

6 shillings for a wax candle at the cross in nave ;

4 shillings for another (mortarium), to be burnt nightly before altar of
 B.V.M. ;

6 pence to Sacrist, 2 pence to Sub-Sacrist, for tolling.

If after his death the rents should be insufficient, the lights may be omitted ;
 if still insufficient, the gifts to the poor : the masses are to be celebrated by
 all means. He concludes, “*Decanum et capitulum adjuro ne aliquid per me
 superius collatum alicui dignitati nec prebende quibuscunque conditionibus
 annectatur.*”

St. Edmund of Canterbury had lately been canonized. Edmund Rich of
 Abingdon, teacher at Oxford (perhaps of Grosseteste, and of Roger Bacon),
 Prebendary and Treasurer of Salisbury, Archbishop of Canterbury, 1234—1240,
 was canonized in 1246, as St. Edmund of Pontigny, where he died in retire-
 ment. His altar was in the south side of the nave, at the entrance of the choir
 of that time. His day was kept on November 16, a few days before that of
 St. Edmund, King and martyr, November 20. Bishop Ralph de Erghum, a
 Salisbury man, founded his chantry at St. Edmund's altar, January 20, 1399.
 (R. iii. f. 92.) As late as 1544, John Lambert, Vicar Choral, was collated to
 the chantry “*ad altare Sti Edmundi episcopi et confessoris in navi ecclesiæ pro
 anima Ricardi Bamfylde.*” Archer's *Long Book*, p. 135.

Erghum, for 14 chantry priests, whose sole function it was to say masses for the dead. There is a clause significant of this feeling at the end of Richard Bamfeld's will, in which he adjures the Dean and Chapter not to allow any of his endowments for masses to be appropriated under any conditions to any dignity or prebend in the Cathedral church. The same clause seems also to show that he was dissatisfied with the award of the Bishop, which had taken from him the six marcs which he claimed, and had given him instead, the contingent prospect of an ill endowed prebend, subject to peculiar restrictions. For indeed, as in its earlier history Dynre had been separate from its neighbours, as a knight's fee, among prebendal lands, so, as a prebend in the church, it was separated from the prebends of earlier creation in the conditions under which it was founded. It was the last made prebend—born, as it were, out of due time, when the period of prebendal foundations, the times of Bishop Robert and Bishop Jocelin, had closed; born out of litigation and arbitration, and at its birth bound and swathed with conditions which gave it a different character from the other and older prebends.

1. It was a chapelry subject to the vicar of St. Cuthbert's.

The effect of the Bishop's award had been to confirm the Dean in possession of Mark, and to relieve Dogmersfeld and Mark from annual pensions. In order to compensate the Prebendary of Wedmore for the loss of his six marcs, he had created for him an additional prebend out of the chapelry of Dynre. But the rights of the mother church of St. Cuthbert's, in Wells to burial and payment of dues were reserved. The Act recites that the cure of souls in Dynre shall remain with the Vicar of St. Cuthbert's, and that the Prebendary shall present to the Vicar a fit person as Chaplain, to be in the position of curate, in the modern sense, to the Vicar, and shall support him at his own charge, besides paying to the Vicar an annual pension, in addition to what he had been wont to receive from Dynre.

2. The chapel of Dynre was also under the special jurisdiction of the Dean of Wells. All the prebends were exempt from the jurisdiction of both Archdeacon and Bishop,¹ but Dinder, as a chapel in the suburb of Wells, was always a 'peculiar' of the Dean.²

This condition may not have been acceptable to Richard Bamfeld at this time, after his litigation. The after history of Dinder was probably much affected by its position, as belonging exclusively to the Dean's jurisdiction.

3. It was distinctively, by the terms of its foundation, a prebend without cure of souls.

The Act recites that, according to the Chapter regulations of the time, the cure of souls was incompatible with tenure of the prebend—"attendentes quod canonici ecclesiarum Cathedralium in hujusmodi ecclesiis residere et deservire habeant, ac per hoc a curis animarum in parochialibus ecclesiis que im-prebendantur eximi debeant."

Two views about canonical residence were current in the 13th century. According to the stricter view which Bishop Grosseteste of Lincoln, writing in 1239, was attempting to enforce in his diocese, continuous residence at the Cathedral was required from all Prebendaries, unless they had a dispensation, and parochial cure was incompatible with residence.³

(1). Savaric, in 1203, had exempted all prebends from the Archdeacon's jurisdiction. R. ii. f. 42; R. iii. f. 12. The Chapter asserted and established exemption of prebends from the Bishop's jurisdiction in Bishop Drokensford's time, in 1319. (R. Drokensford, 183.) R. i. 151—163.

(2). R. i. ff. 156—188. "Jurisdictio mediata et immediata Decani in urbe Well; et ipsius suburbio, nec non in prebendis, ecclesiis, capellis aliis forinsecus ab urbe et ipsius suburbio, nominatim Dinre, Wormester, Dultingcot. Concordia inter Decanum et Sub-Decanum, 1310."

(3). Grosseteste, Ep. 74, 127, ed. *Luard.*, Rolls Series. The conflicting opinions of the day are contained in a letter to Cardinal Otto, in which he declines to confer a prebend at Lincoln on a nominee, who held a cure of souls.

"Licet enim plurium sit opinio quod absque dispensatione possint simul haberi licite præbenda cum cura animarum annexa, et parochialis ecclesia, nos tamen adhuc super hoc dubitamus quia quondam sic opinantium assertione inducti, tenuimus aliquamdiu simul hujusmodi præbendam et parochialem ecclesiam; remordente autem nos nostra conscientia consulimus super hoc dominum Papam per quendam virum sapientem Deumque timentem, qui a domino Papa suscepit in responso, licet hoc non posset obtinere in literâ, quod nequaquam potuimus sine dispensatione præbendam hujusmodi parochiali ecclesia simul licite tenere."

Bishop Jocelyn, on the other hand, had ordained that Dignitaries, Dean, Precentor, Chancellor, Treasurer, Sub-Dean, and Succentor, should reside continuously, Prebendaries no more than twenty-six weeks in the course of the year to entitle them to share in the common fund. One audit in the year, in the octave of St. Calixtus, was fixed, at which there should be a dividend of the residuum of the common fund among those who had kept residence; but no direct obligation of continuous residence was imposed on any who did not hold dignities—"sufficit sive residerit per duas partes anni sive continue sive interpolatim, ita quod per istam ordinationem non arcetur aliquis simplex canonicus ad residendum nisi velit."¹ For the rest of the year the Canons might reside on the prebend of which they held the patronage, either serving the cure of souls in person, or appointing a Vicar at a fixed and proportionate payment, regulated by the Bishop.

But the Prebendary of Dynre now came into office under a stricter rule of residence than had hitherto been laid upon the Canons. In the statutes of 1259, on account of complaints of inexact computation and unequal distribution, the year was divided into four terms of thirteen weeks: from Michaelmas to the vigil of St. Sylvester; from St. Sylvester to the last day of March; from April 1 to the end of June; from July 1 to Michaelmas. Four audits were to be held at each of these four terms, and residence was strictly required within each, of six weeks and four days for simple Canons; of eight weeks for the *quinque personæ*, Dean, Precentor, Archdeacon of Wells, Chancellor, and Treasurer. Incomplete residence in one term might not be made up in another. A more equal partition of the common fund was ensured, and 50 marcs reserved from the revenues of North Curry were always to be in the hands of the Communar, for division among the residentiaries.²

(1). R. i. f. 51; R. ii. ff. 17, 41.

(2). The statutes of 1259 were signed by the Dean, E. de la Cnoll, Precentor, Chancellor, Sub-Dean, Succentor, and 12 Canons. R. i. f. 105; R. iii. f. 17; and Archer's *Chronicon*, p. 168.

4. The prebend of Dynre was ill endowed, and one of the least in value among the prebends. In the taxation of Pope Nicholas, 1291, the prebend of Dynre is returned at 6 marcs.¹ But in the valuation made by Dean Haselshaw's statute, in 1298, for a just apportionment of the *annus post mortem*, Dynre is estimated at 8 marcs² (£5 6s.) The prebends then highest in value were Yatton, Milverton, and St. Decuman's, each of the value of £50.

The prebend of Dinder thus founded, and with these peculiarities, henceforth takes its place among the prebendal stalls in the church of St. Andrew. Bishop Robert, in 1136, had established the rule, following the practice of Sarum and Lincoln, that the Psalter should be said daily by the whole Cathedral body, in portions assigned to each member, as an act of private devotion, and of intercommunion with their brethren and with the whole Catholic Church. In Dean Haselshaw's statutes, in 1298, this old rule was re-enforced, and a re-distribution of the Psalms among the increased number of prebends was made. The number now was 53. The Bishop took the first three Psalms, and the Abbots of Bec, Muchelney, and Athelney, holding severally the stalls of Cleeve, Ilminster, and Sutton, were included. The Psalms assigned to Dynre, last but one on the prebendal roll, were: Psalm 143—*Domine exaudi*; Psalm 144—*Benedictus Dominus*; Psalm 145—*Exaltabo te, Deus*.³

The Prebendary of Dynre bore his share in the expenses incurred in the support and gradual growth of the stately fabric of the church, during the next 100 years. Great architectural works were going on in Bishop Robert Burnell's time, 1274—1292, both outside and inside the church. In 1285, the King had granted leave to the Bishop to enclose the cemetery of the church and the precincts of the Canons

(1). *Taxatio P. Nicholai*, p. 200. The entry is peculiar: "Dynr alib beneficiat. £4."

(2). R. i. f. 220.

(3). R. ii. 42-5. Reynolds, p. 71.

houses with an embattled wall, with gates and posterns, to be closed at night and opened at dawn,¹ and the 'goodlye hall of state' in the Bishop's Palace was being built at the time by Bishop Burnell.

In the Cathedral church money was wanted for repairs, and for the 'new structure' of the Chapter House—of which at this time the undercroft was finished, and the great staircase was rising.

In 1286 a Chapter was called together, to raise funds to meet the cost of the Cathedral works, and the Canons agreed that each should pay a tenth from his prebendal revenue for five years.² Again, in 1298, in consequence of dangerous defects in the roof of the church, a like self-taxation was voted.³

At a Chapter called May 8, 1318, the Dean and Canons had to consider how they shall proceed against those members of the body who have not paid their tenths, charged upon all, for the new bell-tower. Among the Prebendaries who did not answer to their names on the occasion, were eight who were in foreign parts, 'extra regnum,' and the Prebendary of Dynre was one of this number.⁴

In 1325, Dean Godelee, in Chapter, orders the stalls to be repaired for the new choir, now prolonged eastward, and each Canon is called upon to bear the cost of his own stall.⁵ Then came the time of disaster, from a too vaulting ambition in raising the central tower. In 1339, under Dean London, in Bishop Ralph's episcopate, a convocation was summoned to meet the cost of necessary repairs for the church,—crushed and shattered by the sinking of the tower,—and it was determined that £300 must be raised for repairing losses.⁶ The prebend of Dynre was then valued at 13 marcs (£8 13s. 4d.), and taxed for stall wages, or payments to the vicar-choral, at

(1). R. ii. 18. Anno 1285. Archer's *Chron.*, f. 191.

(2). R. i. 198. Anno 1286. (3). R. i. 220, *in dors.* Anno 1298.

(4). R. i. f. 143. May 8, 1318.

(5). R. i. ff. 173, 175.

(6). R. i. ff. 198, 200, 201, 208.

20s. At the same time, the prebends of Yatton and St. Decuman's, the highest in value, were estimated at £50 each, and taxed severally at 40s. and 43s.

We thus obtain an estimate of the value of Dynre prebend, and of the charges made upon it within one hundred years of its foundation. It had risen from 6 marcs to 13—from £4 to £8 13s. 4d.; but there were stated charges upon it, and extraordinary calls for fabric expenses, and it was the lowest in the scale of value, except Holcombe.

It is an interesting question which no document has satisfactorily answered as yet, how long the peculiar and anomalous relation of the Prebendary of Dinder to the Vicar of St. Cuthbert's continued. There are evidences of a dependent connection of Dinder with St. Cuthbert's during the 14th and 15th centuries, and it is not until the 16th century that we have positive evidence that Dinder has become an independent parish. No collation to the prebend is found in the registers for more than one hundred years after the foundation of the stall. During that interval, and through the 15th century, we know something of the lords of Dinder, and the names at least, of the chaplain and the miller—but nothing of the Prebendary. A Flemish family appears to have settled on the fee of Dynre in the 13th century. William Flandre de Dynre cedes the advowson to the Bishop in 1223, and Walter le Fleming of Dynre makes grant of a fardel of land in the ville of Dynre, in a deed dated "the morrow of St. Edmund the Archbishop," 1298.

In the 14th century the Rodneys held under the Bishop. Richard de Rodeney died 1327, seised of the manor of Dynre, held under the Bishop, at a reserved rent of £13.¹ In 1333, Bishop Ralph granted to Walter de Rodeney, in perpetual lease, 12 acres, which had been held by John le Tucker of Croscombe dying a bastard, without heirs. Walter is to pay, *pro servitio*, one rose on the feast of St. John the Baptist.²

(1). Collinson, iii. f. 412.

(2). R. i. f. 194.

Another of the same family, Richard de Rodeney, was Prebendary of Wormestor, and one of the Canons residentiary in 1331-4.¹

Next in importance to the lord was the miller. A family had grown up during the 14th century, the Mullewards, who held the flour mill at Dynre from 1362.² They held lands also at Priestley, in Doultong. Several deeds relating to the Mulleward family are among the Chapter documents, dating from 1362 to 1461.³ The name of the Chaplain of Dynre comes before us therein, and some notices appear of connection with St. Cuthbert's in the wills of two of the family. John Rooke, chaplain, and William Smith of Dynre, grant to William Mulleward of Dynre and Alice his wife, crofts and lands in Priestly, in 1384. William Mulleward of Dynre, in his will, dated 1394, bequeaths his soul to God, and his body to be buried in the cemetery of St. Cuthbert's, in Wells; and he also bequeaths to Sir John, the Chaplain, 12 pence, to celebrate for his soul, and for the souls of all the faithful departed.⁴ In the will of John, son of William, 1403, there is the same direction that his body shall be laid in the cemetery of St. Cuthbert's, and two shillings and six pence are bequeathed to the parish priest of Dynre—"sacerdoti parochiali ecclesiæ de Dynre;" also 40 pence to the parish church of Wells. Both wills are proved before the official of the Dean of Wells, 'in the chapel of the B.V.M. near the cloisters.'⁵

It is not specified in these cases whether masses were to be celebrated by the Chaplain at Dinder, or by the parish priest of St. Cuthbert's, at Wells. But another evidence of connection between the chapel and the mother church is preserved

(1). R. i. f. 248.

(2). *Chapter Documents*, f. 262, 36th Edward III, 1362. John Boys of Crocombe, and Matilda, his wife, grant and confirm to William Mulleward of Dynre, the moiety of profits "de molendario nostro aquatico ad triticum in villa de Dynre."

(3). *Chapter Documents*, ff. 363, 422, 512, 614, 616, 617, 618, 660, 666, 721.

(4). *Chapter Documents*, f. 721.

(5). *Chapter Documents*, f. 512.

in the report of the Chantries Commission of Edward VI, 1547, where, in a schedule ‘of all chantries and obits belonging to the parish church of St. Cuthbert’s,’ “lights and obits founded within the parish church of Dynder,” and supported by land in Dynder, are included among the endowments of St. Cuthbert’s, together with “the chapell of Saincte Paule of Paulesham, and the chapell of Saincte Audrie, and the chapel of Southwaye, late of Thomas Beckyt, within the said parishe.”¹ It would appear that when this obit was founded, Dynder formed part of the out-parish of St. Cuthbert’s. It was supported by land in Dynder, viz., “one tenement called Langhowse, with two acres of arable land and one roode of medowe—the total value, 2s. 8d.” ‘Langhowse’ or ‘Langhays’ is mentioned in a deed of conveyance made in 1491, by Johanne le reeve de Dynre, to Richard Atwye and others. By other grants, made in 1516, by Richard Atwye, ‘Langhays’ and ‘Whitehays,’ and other cottages and lands, became “the parish lands,” the rents and use whereof were by later deeds, put in trust “for the use of the church of Dinder, and for the benefit of the parishioners of Dinder.”²

Meantime, the names of the Prebendaries of Dinder are wanting—for more than 100 years. No notices of collations to Dynre are found in the register books at Wells, of Bishop Drokensford, 1309—1329, or of Bishop Ralph de Salopia, 1329—1363. The registers of Bishop Harewell, 1367—1386, and Bishop Skirlawe, 1386—1388, do not exist at Wells.

The earliest record of collation yet found occurs in the Chapter Acts, under date May 5, 1382:³ “Magister Adam Dawnport admissus fuit in canonicatum Wellensem et pre-

(1). “Certificate of Commissioners of Colleges, Chantries, etc., appointed under Act of 1st Edward VI, so far as related to the city and Cathedral Church of Wells.”

(2). Dinder parish papers. In a summary of parish lands, taken Oct. 29, 1695, Whitehays is described as adjoining the churchyard. ‘Langhays’ became the poor-house. Millard’s mill is mentioned. Phelps, ii. 192.

(3). R. i. f. 282.

bendarium prebendæ de Dynre in eadem per presidentem capituli, et installatus in eadem de mandato Domini."

The first record in the register of the Bishop's acts is found in Bishop Bowett's register, February 21, 1406.¹ In that year Bishop Bowett, employed in conducting Philippa daughter of Henry IV to Norway, to be married to King Eric, seems to have put his patronage in commission, and Archbishop Arundel, the Bishops of Winchester (Beaufort) and of Durham, and two of the Canons of Wells are patrons, *pro hac vice*, in the collation of the Prebendary of Dynre.

Thenceforward the series of Prebendaries is nearly complete through the 15th century. The names are unknown to fame. Two Prebendaries, in 1406 and 1411, exchanged the prebend for chantries in London,

"And ran unto London unto Saint Poule's,
To seken them a chauntry of soules."

Thomas Chandler, Fellow of Winchester, friend and biographer of Bishop Beckington, and afterwards Chancellor of the diocese, 1454, meditated an exchange of his living near Southampton with Dynder prebend, if it could be held together with his fellowship; but the exchange was not carried out.²

Three of the Prebendaries in close succession were Canons residentiary. John Moneyman, also Vicar of St. Cuthbert's in 1493; John Lugwarden, Bishop's Commissary, 1496; Wm. Gumby, 1510.

The following is a list of Prebendaries from the imprebendation in 1268 to 1510:—

1268.	Richard Bamfeld	...	...	R. i. f. 85.
1382.	Adam Daunport	...	...	R. i. f. 282.
1404.	John Hallswell, 'per resignatio-	} Bishop Bowett, R. f. 47		
	nem Hugonis Haneworth...			
	Exchanged for chapelry of			
	St. Martin, in St. Paul's, London, with			

(1). Bishop Bowett, R. f. 47.

(2). *Beckington Correspondence*, i. f. 191.

1411.	Thomas Ferreby, exchanged for Canonry of St. Radegund in St. Paul's, London	...	...	...	Bishop Bubwith, R. f. 51.
1429.	Nicolas Upton	...	...	...	Bishop Stafford, R. f. 17.
1453.	Thomas Swyft, Jan. 9	...	...	...	Bishop Beckington, R. f. 173.
	Thomas Morton, Dec. 3	...	...	...
1463.	Richard Welton	...	...	...	Ditto, f. 306.
1475.	William Dudley	...	...	...	Bishop Stillington, R. f. 99.
1476.	John Lichfield	...	...	...	Ditto.
1493.	John Moneyman, Vicar of St. Cuthbert's	...	...	...	Bishop King, R. f. 2.
	Canon Residentiary, 1495	...	...	...
1496.	John Lugwarden. Canon Resid.	...	...	...	Ditto, f. 9.
	1499	...	...	...
	Official of the Dean, 1498	...	...	...	Archer's <i>Long Book</i> , p. 97.
	Commissary of the Bishop	...	...	...
1499.	William Dulton	...	...	...	Ditto.
1501.	John Steynham	...	...	...	<i>Chapter Acts</i> .
1509.	Robert Gumby, <i>alias</i> Austeyne	...	...	...	Ditto.
	Canon Residentiary, 1510	...	...	...	<i>Chapter Doc.</i> , 748.

Table of Prebendaries, from 1509 to 1840.

1528.	Robert Coket.	1679.	Joshua Lasher.
1547.	Simon Seward.	1702.	Henry Mills.
1552.	John Snow.	1712.	Elias Rebotier.
1570.	John Lowth.	1718.	Robert Creyghton.
1589.	Robert Godwin.	1728.	Richard Healy.
1616.	William Rogers.	1736.	Edmund Lovell.
1623.	William Oldis.	1779.	John Jenkyns.
1641.	Samuel Lanfire.	1824.	Richard Jenkyns.
1664.	Samuel Lanfire, jun.	1845.	John Armstrong.
1671.	William Fane.		

All through this time, from 1268 to 1500, there is no direct

evidence that any change has taken place in the original relation of Dynder as a chapelry to the mother church of St. Cuthbert. As we follow the history in the 16th century, we find that a change has taken place, but we are left to conjecture how and when the change took place. At some date,—to which, perhaps, the architecture of the church may point as about the latter part of the 15th century,—there had been a reconstruction of the prebend.

By a move—it may be of the parishioners, or of the lord, seeking parochial independence; or by the action of the Dean, having sole jurisdiction in Dynder, and of the Dean and Chapter, having patronage in St. Cuthbert's, and with the Bishop's concurrent action—Dynder has become a separate parish, with glebe, parsonage, and burial ground.

Still the prebend holds a peculiar and unique position among the other prebends. There is no record in the registers of the Bishops of any institutions to the cure of souls in Dinder. It would appear that the Bishop never exercised his right of appointing a perpetual Vicar, and apportioning his share of payment, as in other prebends.¹ The Prebendary appears to have held habitually the cure of souls at Dinder by virtue of his collation to the prebend. He was allowed to discharge his spiritual duties at Dinder personally, or by deputy, without any obligation to residence; to enjoy the temporalities and spiritualities free from all dues to St. Cuthbert's, and to hold other benefices together with it.

The poverty of the stall, the nearness to Wells, the exemption of Dinder from the Bishop's jurisdiction, as a peculiar of the Dean's jurisdiction, must be taken into account, as helping us to understand the growth, in a lax time, of this anomalous position of the prebend, in which the pecuniary interests of the Prebendary, rather than the parish, were considered.

(1). Cf. Kennet's case of impropriation, p. 41; cases of Yatton prebend, R. iii. f. 151, 1327; Taunton prebend, in contrast *vid.* Phillimore, i. 267, 275.

III. Dinder Prebend; 16th and 17th centuries.

In the 16th century we enter upon troublous times, during which there are gaps in the records at Wells.

During the episcopate of Hadrian de Castello, 1504—1518, many of the muniments of the Cathedral and episcopal registers were lost.¹ From 1513 to 1571, and again from 1644 to 1664, no acts of Dean and Chapter are recorded.²

When the abbeyes had fallen, the chief spoilers reserved the lands of Wells Palace and Deanery for a prey unto themselves, and Bishop, Dean, and Chapter were confederate with the spoilers.

Thomas Cromwell, the lay Vicar-General of "the Supreme Head," was Dean of Wells for the last three years of his evil life—1537–1540.

At the beginning of Edward the 6th reign, the naturalized Italian, Polydore Vergil,³ 'Quæstor Pontificius,' or sub-collector of the Pope's pence, under his kinsman, Hadrian de Castello, Archdeacon of Wells from 1508, sold in perpetuity the house of the Archdeacon at Wells, and received license to return to his town of Urbino, in Italy, holding the rents and profits of the archdeaconry for his life.

In the first year of Edward VI, 1547, the Dean, Fitz-William, surrendered the Deanery and all its manors; and in the same year, Somerset, the Protector by grant from the Crown, entered into possession. Next year Bishop Barlow surrendered the Palace, and was allowed the Deanery in exchange, that Somerset might pass from Deanery to Palace.

After Somerset's execution, in 1552, a man of the Court, Sir John Gates, 'Captaene of his Grace's guard,' came into possession of the Palace, to root out, to pull down, and to

(1). "Excommunicatio in eos qui munimenta registri et alias scripturas ex Archivis domini episcopi furtim abstulerunt. Sept., A.D. 1515."

(2). On cover of *Chapter Acts*, No. 2, it is written, "*Liber Ruber* desinit anno 1513. Hic liber incipit anno Dni. 1591. Sic deficiunt acta capitularia per annos 78 plus minus." But *Chapter Acts* No. 1, 1571 to 1599, has lately been found.

(3). Polydore Vergil *Hist.*, *Camden Soc. Publ.*, Preface xix. xxxvii.

destroy; and Bishop Barlow and the Dean and Chapter made that wantonly sacrilegious grant of "that goodlye Ladye Chapelle in the cloisters on the south side of the Cathedral, to be cleared away and made plaine, in four years and a half."¹

The notices of Dinder in the official documents of the 16th century show clearly separation from St. Cuthbert's and the parochial independence of Dinder, but there is nothing to explain the peculiar relation of prebend and rectory, or to show that they were legally united.

The first notice of Dynder, in the 16th century, occurs in the *Valor Ecclesiasticus* of 1537.

Under the Act of 26th Henry VIII, which gave to the King the Papal first fruits and tenths, a general survey of all benefices was appointed, of which we have the returns in the *Valor Ecclesiasticus* of 1536-7. The survey of Somerset, Devon, and Cornwall was made in the 27th Henry VIII, 1537. Dyndre is there described, in common with sixteen other prebends of the Cathedral church, as prebend and rectory, but the Prebendary is not entitled Rector. The annual value is set out as £7 10s. 6d., with deductions therefrom to the vicar-choral and to the stall of £5, leaving a net income of £2 10s. 6d., of which the tenths were five shillings three farthings.² In a contemporaneous manuscript³ among the

(1). *Chapter Documents*, No. 773.

(2). The entry is as follows:—*Valor Ecclesiasticus*, p. 135. Dyndre. Rob'tus Cocket preb: prebenda et rectoria ibidem valet per annum, vizt:—

					li.	s.	d.
In terris dominicis	...	...	...			xx	vi
Decimis prædialibus cum oblationibus et aliis							
decimis personalibus	...	...	...	vi	x		
					vii	x	vi
Ultra. Solut pro stallo choralis pro annuale pensione cuidam							
Vicario choralis	...	...	...	iv			
					ii	x	vi
						v	ob 'q'
				Decima inde	...		

(3). There is a memorandum at the end of this manuscript of the "Impre-bendateo prebendæ de Dynre per William Episcopum gerent dat. nonis Aprilis anno dni. millesimo ducentesimo sexagento octavo, ut scriptum in *Nigro Registro*, folio 85," apparently the *Nigrum Registrum* or *Liber Niger* was another name for *Liber Albus*, so called from its later bindings in white.

Cathedral documents,¹ containing also a return at Bishop Barlow's visitation in May 12th, 1551, Dyndre prebend is estimated at the yearly value of £8 13s. 4d., with a deduction of twenty shillings to the Vicar; but the tenths are the same—five shillings three farthings.

November 25th, 1591, is the date of the charter given by Queen Elizabeth to the Dean and Chapter, by which they were confirmed in their possessions after the confusions of the early part of the century. This charter, which is assumed to be the governing charter of the present and modern church of Wells, recites and confirms, with verbose exactness, all the dignities and estates which had belonged to the Cathedral church, and to each member thereof, within the last twenty years past, and re-invests all with legal authority. The charter confirms to the Prebendary of Dynder (Robert Goodwin, 1589 to 1613) "all the prebend of Dyndre, with all its rights, members, and appurtenances, &c., as tithes, advowsons, rights of patronage—which the last Prebendary of Dyndre, as in right and force of the said prebend hath held—for the space of twenty years now last past."² The charter, which makes special mention of certain rectories as attached and united to certain prebends, such as those held by the Archdeacon, the Chancellor, Treasurer, and Sub-Dean, and two others—Haselbury, and Compton Dundon—makes no such mention of the rectory of Dinder as being attached to the prebend. We must trace the history under the names and dates of the successive Prebendaries to obtain any further information as to the relation of the prebend and rectory of Dinder.

Prebendaries of Dinder, from the 16th Century.

Some names emerge during this time of imperfect records :

1528. Robert Coket *Valor Eccl.* i. 175.

(1). "MS. return of tenths granted of all rents to the King by Act of Parliament, in 26th year of his reign." Simon Seward, Preb. de Dyndre—taxatur tempore visitationis Dyndre xiii marcæ; stipendium vicarii per ann xx sol.

(2). Charter of Queen Elizabeth to the Dean and Chapter of Wells.

1547. Simon Seward, Prebendary at } MS. return in
 Bishop Barlow's visitation, 1550 } Chapter Library.
- In 1547, the year in which Dean
 Fitzwilliam surrendered his
 Deanery, the Prebendary of
 Dinder leased the prebend for
 12s. annually to John Jeffries } *Chapter Acts.*
1552. John Snow Le Neve's *Fasti.*
 1570. John Lowth¹ Ditto.
 1589. Robert Godwin { *Chap. Acts*, ii. 59, 60
 Bishop Godwin, R.

"Feb. 27. Admissus fuit ad prebendam de Dinder per mortem Johannis Snowe et installatus prout moris est, cum salmo quotidie dicendo."²

"March 12. Admissus fuit ad rectoriam Kingston Seymour."

Robert Godwin was Prebendary at the time when the charter of Elizabeth was given: son, probably, of Bishop Godwin (1584—1590), and brother of Francis, (author of the *De Præsulibus Angliæ Commentarius*), who was Canon Residentiary, 1587—1617; Bishop of Llandaff, 1601; Bishop of Hereford, 1617. Robert held Dinder, and the more valuable benefice of Kingston Seymour, from 1589 to his death, in 1613. At his death Francis, while still Canon Residentiary and Bishop of Llandaff, succeeded to the rectory of Kingston Seymour.³ Robert Godwin has left his signature in the parish books of Dinder as serving the cure of souls there, either personally or by deputy. Under date 1600, in the earliest parish register

(1). Le Neve interposes this name between Snow and Godwyn, but the entry in the *Chapter Acts*, under 1589, shows some error.

(2). The injunction as to the daily recitation, probably of the Psalms assigned to Dyndre in Dean Haselshaw's statutes, is a form in Chapter books, common at the time in installation acts, but dropped after the restoration.

(3). Another of the family, Paul Godwin, succeeded to the vacant canonry, which Bishop Francis resigned in 1617, on being appointed to the see of Hereford.

of burials, dating from 1578 to 1636, occurs the following entry :—

“Accordinge to y^e Canone in token y^t we have compared this booke and y^e oulde together we have underset our hands.

“Pr me, Robertum Godwin, Prebendarium curæ inservientem.

“Thomas Wilmot, } Wardens,
“Harry Hodges, } 1600.”

The next entry, in another hand, is—

“1601, August y^e 7th was buried Joan, ij daughter of Jhon. Snow, minister, prebend of this place.”¹

In 1611 Godwin was one of the several Prebendaries cited by Dean Meredith to answer in Chapter for not paying stall wages; and not appearing, sentence of ‘excommunication’ was passed in Chapter.²

1616. William Rogers Bishop Lake, R.
Chancellor, 1596 *Chapter Acts*.

The handsome stone pulpit in Dinder church, bearing date 1621, belongs to his time.

From 1620 to 1626 the registers of Bishop Piers are wanting. A list of 117 institutions is preserved in a separate book, belonging to this time, in the Registry Office.

1623. Willelmus Oldis, ‘clericus per }
mortem Will. Rogers ’ ... } *Chapter Acts*.

After the customary form of installation, the words follow, “tum decanus assignavit Dño Oldis psalmos sequentes, Benedictus Dominus Deus, cum duobus sequentibus per eum in choro legendis.”³

1641. Samuel Lanfire, ‘per resigna- } Bishop Piers, R.
tionem Mri. Oldis ’ } f. 66.

The notices in official documents and the blanks in the registers witness that times of trouble and confusion had again

(1). Dinder parish register.

(2). *Chapter Acts*, 1611, p. 69.

(3). Psalms 144, 145, 146, were the Dynre Psalms, p. 34, appointed to be said by the Prebendary daily, in Dean Haselshaw’s statutes, 1291

fallen upon the officials of the church of Wells. "From 1645 to 1660, during the time of the wars, no persons were admitted or instituted to any ecclesiastical benefice throughout the diocese of Bath and Wells." Such is the entry in Bishop Piers's register. "Ab anno 1644 usque ad 1664 acta capitularia deficient," is the entry in the book of *Chapter Acts*.

Some glimpses into the state of Dinder during these times are to be obtained from other sources. The terriers of Dinder,¹ taken in 1613, and in 1634, give a general description of the value of the parsonage. The terrier of 1613 (stitched to the later one of 1634), contains parcels, small and scattered, of glebe land and buildings, of which the total rent was sixty-two shillings. No mention is made of Prebendary or prebendal rights of any kind. The terrier is signed by the churchwardens only. The terrier of 1634 is entitled "a true note or terrier of all the portions of tithes belonging to the parish church or parson of Dinder, taken by churchwardens and parishioners, and also by the farmer of the parsonage." It contains an account of (*a*) customary tithes, (*b*) tithes in kind, and (*c*) glebe land; specifying a parsonage house, with barn and stables, garden, and barton thereunto belonging, and it is signed by Anthony Nowrie, Minister;² the two wardens, two sidesmen, and nine parishioners. There is no mention of Prebendary or prebendal rights. We have in this terrier the rectorial as distinct from the prebendal estate. The prebendal estate appears from later returns to have consisted of about 27 acres within the parish. The two estates were held together by the Prebendary, Mr. Lanfire, in 1650, when the Parliamentary survey of church lands in Somerset was made. At that time the question was raised and determined, whether there was any legal union between the prebend and the rectory, and whether the two estates, which by usage the Prebendary of

(1). In Bishop's Registry.

(2). No such name is found among the Prebendaries of Dinder.

Dinder had been allowed to enjoy, were distinct and separable.¹

The survey of church lands in Somersetshire supplies an important evidence in the history of Dinder prebend. In 1643 the bill passed the House of Parliament, that "all Deans, Deans and Chapters, Archdeacons, Prebendaries, Chanters, Canons, and Petty Canons, and their officers, shall be utterly abolished and taken away." A survey of all church lands was made under authority of that Act in 1650. Two returns were made of Dinder: one by surveyors of the lands of the Dean and Chapter, of "the prebend or parsonage of Dyndre," in August, 1650; the other by the jury of the Hundred, of the parochial benefice, November 30th, 1650. Dyndre is shortly described by the jury of the Hundred as "a parsonage with cure of souls, with about twenty pounds a year, where Mr. Samuel Lanfire, an able and diligent preaching minister for parson."²

In the return of the Chapter lands,³ Dyndre is described more at length as prebend and parsonage, and as "consisting of about one-and-fifty families, compact together there, with a parsonage with cure of souls;" the value whereof, viz., "All those tenths, tythes of corn and grain, hay, wool, lambs, pigs, geese, and other tythable things yearly coming, growing, arising, or renewing within the aforesaid parish of Dyndre, with all oblations, obventions, and emoluments whatsoever of the said parsonage and prebend belonging, was estimated, *communibus annis*, at £30."

A memorandum was attached to the return, "That the aforesaid prebend is a prebend with cure: the Prebendary thereof did either by himself, or a Curate maintained by him, from time to time serve the cure of the said parish of Dynder,

(1). No portion of this evidence was put before Lord Coleridge in July, 1883. I had not seen the survey when this paper was read before the Society.

(2). *Survey of Church Lands*, county of Somerset, vol. xv. p. 348; in Lambeth Palace Library.

(3). Vol. i. p. 144-7. The copy which belonged to the Dean and Chapter of Wells was sent up to the office of the Ecclesiastical Commissioners, at the time of the commutation of the estates, in 1866.

and the minister thereof enjoyeth at present all the profits of the said prebend toward his maintenance, except the rent reserved by the aforesaid leases.”

At first the Commissioners, acting according to this return, proceeded to sweep the whole proceeds of prebend and parsonage into their common fund, and ordered the sale of the parsonage. But they were met by a protest from the parish, with affidavit from the principal landowner, Mr. Richard Hicks, which satisfied them that there was no legal union between prebend and parsonage, and that the estates were distinct and separable. Accordingly, they stayed proceedings as to sale of the parsonage, and left Mr. Samuel Lanfire, “able and diligent preaching minister,” undisturbed in the parsonage. They took possession of the alienated prebendal estate, but they left him the parsonage, and made successive grants to him as parson, in the following years, in augmentation of the living. They have left on record their judgment and action in the following memorandum, made two years afterwards:—

“2nd December, 1652.

“By the Commissioners for removing obstructions in the sale of the Dean and Chapter lands.

“Whereas Richard Hicks, gentleman, in his petition on behalf of the minister and inhabitants of the parish of Dinder, read the 24th of June, 1651, did set forth that the prebend of Dinder in the county of Somerset is returned to have belonging unto it the parsonage of Dinder aforesaid, whereas the said parsonage is distinct from the said prebend, and hath cure of souls, and the incumbent there for the time being is instituted and inducted thereto. That by reason of the said parsonage being returned parcel of the said prebend, the parsonage house, barne, stable, and garden thereunto are exposed to sale, the late Committee for removing obstructions in the sale of the said lands, did the 24th June aforesaid, order the surveyors (whose survey of the said prebend should certify

unto them forthwith the true state of their business) that stay should be made in the meantime of all further proceedings touching the sale and passing conveyance of the premises. And it appearing unto us by the certificate of the said surveyors—that all prebends within the Deanery of Wells were either in lease or leasable; the said parsonage of Dinder not. That no prebends there had the cure of souls; the said parsonage of Dinder had. That all Prebendaries there were only installed into their prebends: the said Prebendary and parson of Dinder was not only installed, but also presented, instituted, and inducted. As also that since the return of their survey of the premises they have seen a copy of a record, whereby one William Flandre of Dinder did grant unto Jocelin, Bishop of Bath, the advowson of the church of Dinder, with the appurtenances.

“It also appearing unto us by the testimony of the said Richard Hicks, upon oath made before us, that he was born in Dinder, and hath lived there and within two miles thereof ever since, and that during the whole time of his knowledge the parsonage of Dinder hath been a cure of souls, and never in lease, and that the parsonage house, barn, stable, garden, and tythes, have been during that time enjoyed by the minister there; and that he hath often heard the now minister, Mr. Lanfire, and the last incumbent, Mr. Oldis, say that they were instituted and inducted unto the said parsonage; and that the said Mr. Oldis was informed by the last Archbishop to procure a dispensation to enable him to hold Atherbury and Dinder, they both being cures of souls, or else he could not have held both. *And we being satisfied that the said parsonage of Dinder, whereof the said parsonage house, etc., are parcel, is no part of the said prebend of Dinder, but distinct from the same, as being a parsonage presentative,* ordered therefore that the trustees and contractors for the sale of the said lands be hereby desired to forbear all further proceedings touching the sale and passing conveyance of the said parsonage of Dinder, or any

part thereof, and that the surveyors-general for the sale of the said lands do enter and record this order upon the said survey accordingly.

“ William Roberts, Henry Pitt, Jo. Parker, Jo. Berners.

“ Entered Dec. 7, 1653.

“ Will. Webb.

“ Returned in to the Registration Office,
the 27th Sept., 1650, by

“ James Hibbins.

“ William Richardson,	} <i>Surveyors.”</i>
“ Alex. Lawson,	
“ Nicho. Combe,	

Such was the award, after appeal, of the Ecclesiastical Commissioners of 1652. It is evident that no documentary evidence existed at that time to give legal sanction to the view that prebend and rectory were united, though they had been habitually held together. On the other hand, local and contemporaneous testimony was brought forward, sufficient to satisfy the Commissioners that they had exceeded their powers in treating them as a united benefice. Evidence of institution to the cure of souls, in addition to collation to the prebend, was given in the testimony of two Rector Prebendaries, and the judgment and action of the Commissioners of 1652 determined finally that the prebendal and rectorial estates were distinct and separate.

When the restoration came, and the waters of the great deluge which had swept over church lands had subsided, the arrangement was again re-established, by which prebend and rectory were held together—convenient alike for the Prebendary, and for the endowment of Dinder church.

Samuel Lanfire, Prebendary from 1641, lived through the Commonwealth, and after the restoration, in 1661, he was presented by the Dean and Chapter to the vicarage of Cheddar.

1664. Samuel Lanfire, jun., ordained
 Deacon and Priest, Feb. 8;
 collated to the prebend, March
 4—vacant 'per resignationem
 Samuelis Lanfire,' his father... } Bishop Piers, R.
 f. 151.
Chapter Acts.
1671. William Fane } Bishop Creighton,
 R. f. 25.
 Canon Residentiary, 1665 ... *Chapter Acts.*
 Rector of Huntspill } Archer's *Long Book*,
 p. 253.
1679. Joshua Lasher Bishop Mews, R.
 Priest-Vicar, 1673—1702 ... *Chapter Acts.*
1702. Henry Mills Ditto.
 "Magister scholæ grammaticalis Decani et capituli,"
 1699. Exchanged to Combe XV, 1712.

A.D. 1712. The annals of the parish may be said to begin in this year, from the churchwardens' accounts, kept consecutively and carefully from this date; signed generally by the Prebendary or the 'minister,' at the annual Vestry, and confirmed by the 'Official of the Dean.'

The following extracts from the accounts of this and the next few years show how public events were affecting the parishioners and ratepayers of Dinder. The year 1702-3 was memorable in the public history for (*a*) the death of William III, March 8th, 1702-3; (*b*) the coronation of Queen Ann, April 23rd, 1703; (*c*) the declaration of war with France, May 4th; and the opening of Marlborough's campaigns; (*d*) 'the great storm' of Nov. 26th, 27th. Among the churchwardens' 'disbursements' occur the following items, relating to these events:

£ s. d.

1703. "Gave y^e ringers y^e Queen's Crownation ... 00 01 06"
 "P^d y^e Pareter for a booke to praye for
 y^e Princess Sophia 00 01 00"
 "P^d for a booke for a fast 10th June, for
 prayer to be used in time of war ... 00 01 00"

“Pd y^e Pareter for a booke of thanksgivin
and a proclamation and a prayer for
a generalle thankgiven on this day,
Dec. 3 00 01 06”

“Gave y^e Ringers y^e thanksgivin day on
y^e 3rd of December 00 02 00”

This thanksgiving day, appointed for the first successes under Marlborough, was Nov. 12th, when the Queen went in state to St. Paul's; it was kept in Dinder on Dec. 3rd.¹

The victory at Blenheim, August 13th, 1704, for which a public thanksgiving was appointed to be made on September 7th, appears to have been kept as a fast in Dinder, from the following entry:—

1704, Sept. 7.	£ s. d.
“Pd for a proclamation and a booke of prayer for a fast on y ^e 7 th of September, for y ^e victorie in Jarmany	00 01 00”
“Gave y ^e Ringers y ^e 7 th of September	00 01 00”
“For a booke for y ^e minister	00 12 00”

Later on we find notices of another series of political events: the accession of George I, and the Highland uprising.

1714. “Order to pray for the election of Bruns- wick on y ^e death of Princess Sophia... ..	£ s. d. 00 01 06”
“Gave y ^e Ringers at the King's safe arrival, on y ^e Coronation day	00 5 00”
1716. “Thanksgiving for the suppression of re- bellion—for y ^e Ringers on day	00 1 0”
“For King's successes over y ^e rebels	0 02 0”

“The Great Storm” which ravaged the south and west of England, on the night of November 26th, 1703, blew down the chimnies of the Bishop's Palace at Wells, and caused the deaths of Bishop Kidder and his wife. It stripped Dinder church of the lead; and so much damage was done, that an additional rate was made that year “for the repairing of the

(1). Lord Stanhope's *Queen Anne*, i. 7.

roofoe of the parish church, having been torne by the violent wind in 9ber last."

Lord Macaulay has noticed that no other tempest in this country has been the occasion of a Parliamentary address, and of a public fast.¹ The 19th of January following was ordered by proclamation to be observed as a day of general fast and humiliation throughout England "on account of a calamity so dreadful and astonishing that the like hath not been seen or felt in the memory of any person living in this our kingdom." The parish books of Dinder contain a double notice of this fast:

"P^d for prayer for a fast on y^e 12th

January 00 00 06 "

"P^d for proklamation and a book for a

fast, being Wensdy y^e 19th Jan. ... 00 10 0 "

IV. Dinder Prebenda cum curâ, 1709.

The second year of Queen Anne, 1704, was marked by the royal act of benevolence, known as "Queen Anne's Bounty," towards the poorer clergy, in the remission of first fruits and tenths to all livings under the value of £50, and by provision for their augmentation. Acts followed in 1706, 5th Anne, s. 24, under which Bishops and Ordinaries of 'peculiars,' and places of exempt jurisdiction were required to certify into the Court of Exchequer the clear yearly value of small livings with cure of souls. Dinder was brought under the act in the returns made. These returns show the doubt which existed as to the position of Dinder, in its peculiar position, as a prebend, yet a parochial living. It could only be entitled to the benefit of the act as a parochial living; yet it was held by the Prebendary at the time as his prebend.

In the return made and signed by the Bishop of the Diocese, Bishop Hooper, 23rd March, 1707, Dinder is returned among the parochial livings in the rural Deanery of Cary, discharged

(1). Lord Stanhope's *Queen Anne*, i. 120. Macaulay, on Addison, *Ed. Rev.*, July, 1843."

from payment of first fruits and tenths as under the value of £50. "Dinder [some words are here erased] £12 16s 9d."¹

In the document next in time in the Record Office, Ecton's *Liber Decimarum*, a manuscript book of the date of 1709,² Dinder appears by name among the prebends of the Cathedral, but with no return of value appended. It is entered as from the Bishop's return among the livings 'discharged' in the Deanery of Cary, but now with additional words inserted for the first time—

"Dinder. *P. cum curâ animarum* ... £12 16s. 9d."

" Tenths 5s. 0 $\frac{3}{4}$ d."

This title, "*Prebenda cum curâ*," appears now for the first time in an official document. It had been inserted since the Bishop's official return was made to the First Fruits Office in 1707. Though not appearing in the Bishop's official return, it had been inserted in the official compilation from those returns. After this time it appears in the printed copy of Ecton's work, the Receiver-General at the time, and in all later editions.³ We see in these descriptions of Dinder, at this time, evidence of the distinction then existing between the prebend and the parochial benefice. Do not we see, also, signs of the latent jealousy between the two jurisdictions of Bishop and Dean? Dinder, a 'peculiar' under the sole jurisdiction of the Dean, is returned by the Bishop, in 1707, as a parochial benefice. With no mention of its prebendal character,⁴ may not the influence of the Dean's Official,⁵ with the

(1). This return is in the Record Office. It is endorsed—"Libat. super sacramentum Edm. Egid. Hooper, gent. xxiii martii, 1707. Coram J. Smith."

(2). Ecton's *Liber Decimarum MS.*, 1709. John Ecton was Receiver-General.

(3). Ecton's *Liber Valorum et Decimarum*. Lond., 1711. Ecton's *Thesaurus rerum Ecclesiasticarum*. Ed. Brown Willis, 1754.

(4). There has been a careful erasure of some words descriptive of Dinder in the Bishop's return. As a simple prebend, Dinder would not have been entitled to a grant, and the Bishop might have objected to recognise it as a *prebenda cum curâ*, after the decision given less than 60 years before in 1652.

(5). Dr. Richard Healy, whose hand is in all *Chapter Acts*, and in the Chapter books, from 1679 to 1713, was Chapter Clerk, afterwards Commissioner, Steward, and Dean's Official. His son was afterwards Vicar of St. Cuthbert's and Prebendary of Dinder, and in his time the augmentation of Dinder, under Queen Anne's Act, was carried into effect.

First Fruits Office, have obtained the later entry of the prebendal title, in order to preserve the independent rights of the Dean, in his peculiar as a place of exempt jurisdiction? and at the same time to secure for the prebend the benefits of augmentation under the Act of Queen Anne's Bounty.

So the official description of Dinder as '*prebenda cum curâ*,' a title unique among the prebends of our Cathedral church, dates from the year 1709, and its invention may be due to the desire of obtaining for the Prebendary of an ill-endowed prebend the benefit of Queen Anne's Bounty, as holder of a parochial benefice conveniently contiguous.¹

1712. Elias Rebotier ... { Bishop Hooper, R.
p. 21.

"Per cessionem Henrici Mills," "a French refugee from the Cevennes in Lanquedock, who, in the great persecution of Protestants in France, after the revocation of the Edict of Nantes, fled to England, where he was taken into the Palace by Bishop Hooper, Bishop of Bath and Wells, as chaplain, and promoted to many favours in the in the church."²

So he passed from Dinder to Henstridge in 1718, to Wiveliscombe in 1720, and was Rector of Axbridge from 1720 to 1765. The *Marriage Register* of Dinder contains, in his own handwriting, a notice of his marriage in the chapel of the Bishop's Palace at Wells, by Bishop Hooper in 1713.

1718. Robert Creyghton ... { Bishop Hooper, R.
p. 33.

"Per cessionem Eliæ Rebotier." *Chapter Acts*.

1712. Ludimagister scholæ grammaticalis per cessionem Henrici Mills."

In 1720, benefactions of £200 from Dr. Creyghton, Precentor, Canon Residentiary, 1679—1733, probably father of the

(1). The history of the title, '*prebenda cum curâ*,' has come before me since the paper was read.

(2). His epitaph on west wall of Axbridge Church.

Prebendary, and of £200 from Edward Colston, Esq., the Bristol merchant, were made to the Office of Queen Anne's Bounty, in augmentation of the living of Dinder, and met by grant of £200 from the Office.¹

In 1723 there was a large expenditure on the church of Dinder, of £107 4s. 6d, and the following item occurs in the churchwarden's accounts :—

“Mr. Parfitt, by agreement, for mending y^e

Ruff of y^e church £60 0 0”

“For making new lead work 23 9 6”

1728. Richard Healy *Chapter Acts.*

“Vicar of St. Cuthbert's, 1719.² Prebendary, “per
cessionem Roberti Creighton.”

In 1732 another grant of £100 was made from Queen Anne's Bounty,³ and in 1735, lands purchased at Castle Cary, were made over and conveyed “to Richard Healy, Prebendary of Dinder, and his successors in the prebend, for the augmentation of the prebend of Dinder.⁴ The value of the lands was estimated, in later returns, as £40 per ann.⁵

1736. Edmund Lovell { Bishop Wynne,
R. p. 26.
“Per mortem R. Healy.”

The parish books show that Edmund Lovell had served the cure of souls in Dinder since 1727 as Curate.

The record in Bishop Wynne's register of his admission to the prebend, contains the designation of the prebend, for the first and only time in the registers of collations to Dinder as “the prebend or canoury of Dinder with cure of souls.” Edmund Lovell was Canon Residentiary 1755, to his death,

(1). Ecton's *Thesaurus*, 1754, Appendix. Cf. Phelps, History ii. Like benefactions to poor livings in the Diocese were made about the same time by Mr. Colston to Axbridge, Pilton, Huish, Bishops Lydeard, Rowberrow, and Kingston.

(2). His epitaph in the cloisters, east wall.

(3). Ecton's *Thesaurus*, 1754, Appendix.

(4). Deed among Dinder parish papers—two documents—dated 22nd October, 1735.

(5). Valuation of lands in 1779, and again in 1810, in Dinder parish papers.

1779. *Chapter Acts.*

1779. John Jenkyns Bishop Moss's Reg.
1780, Vicar of Evercreech.

The lax usage by which the Prebendary of Dinder was allowed to hold the rectory and the cure of souls, together with other benefices, and without any obligation to residence at Dinder, seems to have resulted, about this time, in the dilapidation of the parsonage house, and the non-residence even of Curates in charge.

In 1809 a "benefaction by lot," of "£200 was expended in the building of the parsonage house.¹" Notwithstanding this grant, the licenses to curates of Dinder, from 1814 to 1825, describe "the house of residence belonging thereto as being unfit," and give permission to successive curates to reside in Wells.²

1824. Richard Jenkyns, Master of Balliol College, Oxford,
Dean of Wells, 1845.

The care and liberality of this last Prebendary-Rector, before the Cathedral Act of 1840 came into operation, effected much for the improvement of the parish. In 1827 the parsonage was rebuilt by mortgage, under Queen Anne's Bounty, and afterwards enlarged, in 1845, by the next incumbent, under another mortgage. In 1846, prebendal lands, purchased by Dr. Jenkyns from the Ecclesiastical Commissioners, under the act of 1840, and some private freehold lands, were made over by him to the rectory, with the expressed desire of augmenting the living, and obtaining for the parish a resident Rector.

The confusion existing at the time of the passing of the Act of 1840 as to this relation of prebend and rectory is shown in the last public returns made in this century. In 1810 Dinder is entitled "a rectory with curacy in the jurisdiction of the Dean of Wells." In 1835 "a rectory with prebend annexed."³

(1). Phelps' History, 2, p. 192.

(2). The *Register of Licenses to Curates*, which begins in 1814.

(3). Report on Eccles. Revenues, 1836, pp. 72-136.

But the distinction between the prebendal and rectorial estates is maintained to the last in the 'Agreement for Commutation of Tithes' in 1838, when the Prebendary Rector, Dr. Jenkyns, made return of the lands belonging to him in the parish of Dinder under the three heads of 'prebendal,' 'rectorial,' and 'private' estate.¹

We must draw out shortly the sequel to this history in the present time.

V. The Prebend under the Cathedral Act of 1840.

In 1840 the Cathedral Act (3, 4 Vic. 113) was passed, by which it was enacted that all estates of non-residentiary prebends after next vacancy should be severed from the prebend and vested in the Ecclesiastical Commissioners for the purposes of the Act.²

Dr. Jenkyns, sagacious and shrewd as a man of business, and deeply interested in Dinder, was prebendary at the time of the passing of the Act; he and his father held the prebend of Dinder for more than 60 years. The leading lawyer on the Commission was the Right Hon. Henry Hobhouse, of Hadspen, closely connected with the Jenkyns family.

In 1845, by the appointment of Dr. Jenkyns to the Deanery of Wells, Dinder was brought under the operation of the Act. With the history of Dinder before the Commission,³ and with this personal interest in Dinder on the part of a leading member, the prebend of Dinder was treated as affected by the Act equally with the other non-residentiary prebends. The Commissioners assumed that there were distinct prebendal and rectorial estates, and that they were entitled to take

(1). *Tithe Commutation Return with Map, 1838.*

(2). Sect. 22. Non-residentiary prebend and offices not to give right to any endowment—"After the passing of this Act no presentation or collation to any prebend not residentiary shall convey any right or title whatsoever to any lands, tithes, or other hereditaments, or any other endowment or emolument whatsoever now belonging to such dignity or prebend, or enjoyed by the holder thereof in right of such dignity or prebend.

(3). The survey of church lands in 1650 is referred to by the Secretary of the Ecclesiastical Commissioners in correspondence in 1846, as "an important document" bearing on the subject of Dinder.

possession of the prebendal estates for the purposes of the Act. It has been considered by all the official authorities who, since the passing of the Act, have dealt with the prebend of Dinder, viz., the Ecclesiastical Commissioners, the Crown, the Bishop, the Dean and Chapter, that the prebend and rectory of Dinder were separate and distinct, and that the Bishop of Bath and Wells was thereby patron of two distinct benefices, the prebend and the rectory. In the appointments made on each occasion since that time there have been two separate deeds of presentation.

In 1846, when, *sede vacante*, the patronage lapsed to the Crown, the rectory apart from the prebend was first offered by Lord Chancellor Lyndhurst, *jure episcopatus*, to one who is now living. Not being accepted by him, it was then offered to the same person who had accepted the prebend. Again, when a vacancy occurred in 1862, there were two separate deeds of presentation by the Bishop—one to the prebend and one to the rectory. So with regard to the prebendal estate the Commissioners claimed the right of dealing with the estates belonging to the prebend as distinct and separate from the rectorial estates. Under authority of orders in Council, dated November 14th, 1846, and again January 8th, 1854, they sold portions of these estates. Some of these lands so bought by Dr. Jenkyns were generously made over by him to augment the living. Other prebendal lands sold by them have remained ever since alienated from the living. There is thus a complete contemporaneous exposition of the meaning of the Act, and in favour of the distinction of the prebendal and rectorial estates of Dinder and of the patronage of both being vested in the Bishop.

On the occasion of the last vacancy, in 1883, the Bishop thought fit to exercise his patronage by the presentation of two separate persons to rectory and prebend. His right to do this has now been disputed. The questions raised and determined in 1650-52 by the action of the Parliamentary Com-

mission of that time have been raised again in 1883. But the position of parties has been curiously inverted. The Commissioners of 1650, at the first, assumed prebend and rectory to be legally united, and they took steps to alienate both prebendal and rectorial estates—but their action was challenged on the part of the parish, and it was established to their satisfaction that the two estates were distinct and separate. Accordingly they stayed their proceedings; they took the prebendal lands, but left the rectory untouched.

In 1845 the Ecclesiastical Commissioners, with this historical evidence before them, treated prebend and rectory as distinct; they sold prebendal lands, but did not interfere with the rectory. But their action has now in turn been challenged—a claim of legal and indissoluble union between prebend and rectory from time immemorial, has been asserted, in order to stay the Bishop from separate presentation to rectory and prebend on the last occasion of vacancy. But by the denial of the Bishop's right of separate presentation the further and the more important question has also been raised whether the Commissioners in 1845 were justified in alienating prebendal lands which on this assumption of legal union would have formed part of the endowment of the active cure of souls. If the Commissioners were right in treating prebend and rectory as distinct and in alienating the prebendal lands, the Bishop was justified in making separate appointments as to distinct benefices. If they were wrong, and the parish has been injured by the Bishop's separate presentation in 1883, the parish must have been suffering much more by the alienation of the lands which belonged to the living. Accordingly the action of the Ecclesiastical Commissioners in bringing Dinder stall under the operation of the Act 1840 has been virtually called in question, and it has been assumed that the whole official action with reference to Dinder since 1845 has been misled by a mistaken interpretation of that Act.

With a view to a settlement of the points in dispute, the

following questions were submitted to the arbitration of the Lord Chief Justice Coleridge, in July, 1883 :—

1. “Had the Bishop power to collate two separate persons ; one to the rectory, the other to the prebend ?”

2. “Had the Ecclesiastical Commissioners power to sell or deal with the prebendal lands of Dinder separate and apart from the benefice itself ?”

Lord Coleridge has delivered his award :—

1. “That the Bishop had not power to collate two separate persons ; one to the rectory, the other to the prebend.”

2. “That the Ecclesiastical Commissioners had not power to sell or deal with the prebendal lands separate and apart from the benefice itself.”

The parties who submitted their case to arbitration, bound themselves “to abide by the award, whatever it might be, and to do all necessary acts for giving effect to that award. So that in the event of the first question being decided in the negative, a single clerk shall forthwith, if necessary, be collated to the prebend and rectory. And in the event of the second question being decided in the negative, the prebendal lands which it is alleged were purchased from the Ecclesiastical Commissioners shall be forthwith given up to the prebend or rectory.”

So the matter stands. Whether this private arrangement to which the Ecclesiastical Commissioners were not parties, and the award given on an incomplete statement of the history of the case, will determine questions which may be raised hereafter, may be left to the future. In the meantime, under the present award :—(a) The Prebendary of Dinder is entitled to claim the prebendal lands alienated from the living by the Ecclesiastical Commissioners. (b) The Bishop is limited in the exercise of his patronage by the obligation to appoint the same person as Rector and Prebendary. (c) The prebend must lapse on the voidance of the living.

But it will be a satisfaction to the sentiment of antiquarian

conservatism, that Dinder will retain its antique title, though not older than the days of Queen Ann, of *prebenda cum curâ*, and will continue to enjoy a position among the prebends of Wells, separate, peculiar, and ambiguous.

Servetur ad imum
Qualis ab incepto processerit et
Sibi constet.

APPENDIX.

ORIGINAL AUTHORITIES QUOTED :

1. 'R. i.' *Liber Albus*, i. Copies of Crown grants and statutes; entries of various proceedings, from 1270 to 1391.
 2. 'R. ii.' *Liber Ruber*. Entries of various grants, etc., and Chapter Acts, to 1498.
 3. 'R. iii.' *Liber Albus*, ii.
 4. *Chapter Documents*, Series 1, in 36 cases: 835 deeds, originals of entries in R. i., ii., and iii., and others; from 658 to 1716. *Chapter Documents*, Series 2, in 7 cases; 86 deeds, down to 1812.
 5. Archdeacon Archer's *Chronicon Wellense*; *Annales Ecclesie Wellensis*; from Chapter books, to 1328.
 6. *Chapter Acts*, in continuation from *Liber Ruber*.
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A Few Remarks on Roman Cookery.

BY REV. H. M. SCARTH, M.A.,

Prebendary of Wells.

THE finding of a Roman kiln at Shepton Mallet, in November, 1864, with fragments of pottery, as well as entire vessels, in and around it, as described in the *Proceedings of the Somersetshire Archæological and Natural History Society* for the year 1865-6, pt. ii. p. 1, may well lead up to an enquiry respecting the culinary and other utensils used by the Romans in domestic life. It is not necessary here to mention the other places where Roman pottery kilns have been discovered; it is enough to say that in many places considerable relics have been found, and more remain yet to be uncovered. I propose therefore rather to touch upon a subject which has hitherto had little attention paid to it, viz., the improvement introduced by the Romans into the culinary art in Britain. As this island owes its horticultural acquirements to its former Roman masters, so does it owe its advance in the culinary art to the introduction of Roman refinement.

If the villa had its hypocaust and tessellated floors, so had it also its cooking stove, with the furniture needful for the preparation of food, and for adapting to the use of the family that which was reared on the farm, or cultivated in the garden.

This subject has happily been taken in hand by the able author of the *Romans of Britain*, and by certain French savans, and lately in a very able paper, on the subject of "The Formation of the English Palate," by Mr. Ferguson, of Carlisle, who traces the rise of cookery from its first beginning, as far as we can gather it from incidental historical notices, to

its perfect development in the age of Claudius and the later Roman Emperors.

The habits of the Briton at the coming of Cæsar, are summed up by him in a few words. He distinguishes between the people dwelling on the coast and those of the interior. The former cultivated their lands and reared cattle. They did not eat the hare, the fowl, or the goose; not deeming it lawful to do so; but kept them as we do peacocks, Guinea fowl, and Canary birds—as objects of amusement and for decoration. The latter, those inhabiting the interior of the Island, did not even sow their lands, but lived on milk and flesh.

The examination of Kitchen-Middens has made us pretty well acquainted with the food of our pre-historic ancestors. In these we find bones of the goat and sheep, the short-horned ox, the horse, the pig, and the dog. Bones of calves, apparently only a few days old, have been found in barrows in Norfolk, by Canon Greenwell. We know from Strabo that the Britons did not know how to make cheese, and it is doubtful if they could make butter; though they may have had clouted or scalded cream—perhaps churned in a skin.

The cultivation of grain, to a certain extent, appears from the terraces still remaining on the sides of hills, and from the numerous hand-mills discovered in the most ancient earth-works, and the pebbles used for pounding the grain. How rude their cookery must have been is apparent from the wearing down of the teeth which remain in the jaws of the skeletons discovered in barrows.

All the British pottery is found to be unglazed. The makers had not arrived at the art of closing up porous earth, or preventing milk or other liquid being tainted by the earthy flavour of the bowl. Bronze vessels for cooking are rare, and these are formed of thin plates of bronze, hammered and rivetted together.

The ancient Briton was not a bee keeper, as has been

shewn by Professor Rolleston. He depended on the wild bee for his honey, and with this he sweetened his metheglin or mead. In the days of Caractacus, says the Professor, they cooked without sugar. They do not seem to have had any oil, which enters so largely into foreign cookery, and which is represented in our own by the use of butter.

The Romans got their knowledge of cookery from the Greeks, and the Greeks seem to have got theirs from the Lydians; from whom they also derived many civilized arts,—as weaving, dying, and the working of metals, the use of gold and silver money, and musical instruments.

The earliest book which treats of cookery as an art is that of Athenæus, the grammarian; and only a fragment of his book has been preserved to modern times. He gives an account of a banquet at Rome, at which Galen, the physician, and Ulpian, the priest, were present. He preserves the names of several writers on cookery, whose works have been lost. Cookery was then held in high estimation, and considered to rank with the practice of physic. Cookery and healing were closely allied. It is remarked by Mr. Fergusson, that the Latin word, *Curare*, signifies both to dress victuals and to cure a malady, and he quotes two Latin sentences which were in common use,—*Culina medicinæ famulatrix*, and *Explicit coquina quæ est optima medicina*,—and remarks that this conjunction of cookery and medicine continued to the end of the 17th century. And this reminds me of some advice given me by an old lady in Bath, not to send for a doctor when ailing, but to have recourse to a good cook. I do not know that this advice is of general applicability, or that it ought to be followed on all occasions; but there is a certain measure of truth in it, as not a few of our maladies arise from imperfect cookery, even in the 19th century. Dyspepsia is not an uncommon ailment, especially among sedentary men.

That the art of cookery was highly valued among the Greeks appears from a couplet preserved by Athenæus, and

quoted by him from a play of Euphron (I take it as given by Mr. Furguson)—

Οὐδὲν ὁ μάγειρος τοῦ ποιητῶν διαφέρει,

Ο νοῦς γὰρ ἐστὶν ἑκατέρῳ τούτων τέχνη.

This is high praise, but the word *μάγειρός*, a cook, is said by Lexicographers to have its origin in *μάσσω*, *μάζα*, because *baking* bread was the chief business of the ancient cook. (Cf. Pliny, 18, 28.) And this is probable, as we read of the *chief baker*, or cook, of Pharaoh, in the time of the Patriarch Joseph, but the same word is used also by classical writers to signify a *butcher*, because in early times the cook was butcher as well as baker.

The ancient Roman dinner was very simple. It is described by Pliny:—Lettuces, shell-fish, eggs, garlic, olives, cucumbers, and similar succulent products, which suit the climate of a southern country, and these are in use at the present day; but the national dish of the ancient Roman was *puls*, a pottage, made of Alica or Simila,—wheat grits or Semolina,—flavoured with herbs. Children are brought up upon this in the island of Capri, and in South Italy, and appear strong and healthy.

Sausages and smoked meats were also much used by the ancient Romans,—Lucanicæ, Botelli, Farcimina,—and upon this simple cookery the Greek art is supposed to have been engrafted, and Asiatic-Greek sauces made to improve the flavour.

About the year B.C. 189, the victories of Cnæus Manlius Vulso in Asia, are said by Livy (lib. xxxix. c. 6) to have introduced into Rome a more luxurious style of living, “Epulæ quoque ipsæ et cura sumptu majore apparari cæptæ; tum coquus, vilissimum antiquis mancipium, et æstimatione et usu, in pretio esse; et quod ministerium fuerat, ars haberi cæpta.” The victories also of Lucullus over Mithridates and Tigranes helped to introduce sumptuous living. New delicacies for the table began to be cultivated, and we learn from Columella (*de re Rustica*), that the sea-eel and other fishes were cultivated for

the table. In consequence of this sumptuary laws were enacted, no one was allowed to have more than *three guests* to dinner, and birds brought from foreign countries (the pheasant, woodcock, Guinea fowl), as well as dormice and shell-fish, were prohibited.

As the Romans had used all possible means to improve their agriculture by the adoption and publication of foreign books on that subject, causing a Carthaginian treatise to be translated into Latin, so the ten books of Apicius Cœlius upon viands and sauces, or the art of cookery, attest the care they took to improve this art among themselves. Apicius flourished under the Emperor Tiberius, and though he did not write the book which bears his name, yet he was considered to be the leading authority in Rome at that time on matters connected with the dinner-table. From Pliny we learn that he first introduced the *Cymæ et coliculi*, or Brussell's sprouts. It is not known who wrote the work which bears the name of Apicius, but it became the leading book on cookery in Rome and elsewhere. It has gone through several editions, though not much known to scholars. The best edition is said to be that published in 1705 by Dr. Martin Lister, *e Medicis Domesticis Serenissimæ Reginæ Annæ*.

Roman utensils for cookery are plentifully found in Britain, as may be seen from the list of Catini,¹ bearing the maker's name, "*Vasculis variis, patellis et similibus impressa*," contained in Hübner's vol. of *Corp. Insc. Latinarum* (vol. vii.) But those who would go more fully into this subject should examine the museum at Naples, formed from discoveries at Herculaneum and Pompeii. Mortaria are the best known Roman culinary vessels in England, and are certain to be found wherever a Roman villa is uncovered. Saucepans have been found; a set is said to be preserved at Castle Howard.

The Roman cooks made great use of *honey*, especially for

(1). Also *Pătīnæ*, Greek *πατίνη*, from *πατέομαι*, to eat, or *pateo*, to spread out—a shallow bowl or pan, usually of earthenware—sometimes of metal, used principally for serving of food.

perfecting their sauces. We use *sugar*, but cane-sugar was hardly known to them. They clarified their honey with the white of eggs and by other means. The Romans made much use of wine in cookery, as the English did in mediæval times. The wines were boiled down in different degrees, sometimes with honey. Potherbs were largely used, and there is little doubt that they were introduced into this country, and largely cultivated by the Romans. Many of our potherbs bear Roman names, as, for instance, sage, cummin, coriander, rue, anise, mint, thyme, fennel, parsley, asparagus; also, the names of seeds and berries; these are enumerated by Mr. Fergusson. As the Romans had learned the use of spices from the east, so did they diffuse their use through the west.

The quantities of oyster shells found near Roman stations and villas attest the general use of the oyster—a luxury unknown to our British ancestors. The cultivation of fish in Britain, is also due to Roman influence—we have minute rules for preparing and cooking this diet. This was fully developed in mediæval times in the different monasteries—the remains of their preserves still bearing witness to the use made of fish as an article of food. Roman fish-hooks, of all sorts and sizes, are frequently found among Roman remains: the Guildhall Museum in London possesses some very interesting examples.

When we consider the arrangements of a Roman villa, similar to that recently uncovered near Yatton at the cost of the owner, Mr. Smyth Pigott, on whose estate it was found, and who has been at great pains to preserve and to record whatever has there been unearthed; when we look at the plan of the rooms and their elegant pavements, the art and refinement shewn in their decoration, as seen in the fragments of wall-plaster still remaining, we cannot doubt but that the masters of these villas, which were surrounded by well-tilled and well-stocked farms, were not wanting in the art of cookery and all that pertained to a well-served table. If we would picture to ourselves the manner of serving up an entertainment in a Roman

house, we have only to read the eighth satire of the second book of the *Satires of Horace*, where we shall find the courses described and the different viands that composed them,

“Da, si grave non est,
Quæ prima iratum ventrem placaverit esca?
In primis *Lucanus aper*; leni fuit austro
Captus, ut aiebat cœnæ pater; acria circum
Rapula, lactucæ, radices, qualia lapsum
Pervellunt stomachum, siser, allec, fæcula Coa.”

Here we have the *boar* served whole, as is still the case in Italy, a practice not wholly unknown in England, as the feast of the “boar’s head” at Queen’s College, Oxford, testifies. Then we have the accompanying side dishes, vegetables, etc.—turnip-radishes, lettuces, parsnips, with pickles and sauces of different kinds, in which the Roman delighted. The sauce known by the name “gärum”¹ is supposed to have been a thick sauce with a delicate salt flavour. We have the tables cleared and wiped by slaves, and the fragments removed from the floors, and wine of different kinds brought in the “amphoræ,” of which so many remains are found in this country. The company usually consisted of nine persons, and, if we examine the living rooms in the villas uncovered in Britain, we shall see that the Triclinium was not large, but sufficient to accommodate this number with comfort. The reclining sofas or settles (couches) formed three sides of a square, and the table was placed in the middle, the fourth side being for access to the servants. The top was called *medius lectus*, on the right was the *summus lectus*, and on the left the *imus*. The seat of honour was the corner seat of the *medius lectus*. In this style the Roman magistrate, or civic functionary or military commander, entertained his guests, and gradually introduced among the natives of Britain a taste for the refinement of social life—as different from the primitive life of the ancient Briton, as the luncheon of a shooting party is from the

(1). *Gärum* or *Gäron*, Greek γαρύ, thick sauce made of small pickled fish. See Plin. 31, 7, 43; Hor. S. 11, 8, 46; Martiale, 13, 102; Scn. Ep. 95.

elegancies of an English nobleman's or gentleman's table. The numerous tusks of the wild boar, found near and within the precincts of the Britanno-Roman villa, show how the products of the British woods and forests furnished the dish so much relished by the Roman. The Roman had a particular liking for pork, and even fattened his pigs upon the fruit of his fig tree. We learn from Pliny that pork was the most lucrative dish in the cooks' shops in Rome, and that they could give it nearly fifty different flavours; Apicius gives eighty recipes for cooking it. We have, I think, something yet to learn from the ancient Roman, in cookery as well as other matters, but that I may not extend this notice beyond reasonable length, I will only add that I hope the subject has not been quite unworthy of attention.

The Camp on Hamdon Hill.

BY HUGH NORRIS (*Hon. Local Sec.*)

EVERY person living in Mid-Wessex has heard of Hamdon Hill. Every one who knows our beautiful West Somerset churches, knows what Ham stone is. All who have studied Roman Somerset, will remember Hamdon as a Romanized British earth-work, overlooking a portion of the Foss-way near Ilchester. But few, if any, have gone into the story of this fine old camp; and yet a story it must have had, which possibly can only be unravelled by one living near the spot.

Possessing this sole qualification, I have ventured to offer a few speculations of my own, as to the condition of the place in unrecorded ages.

The Society of Antiquaries of London published in 1823 a description of the hill, by the late Sir Richard Colt Hoare, in which that accomplished investigator says, "The earth-works which surround the hill are the most extensive I have ever met with, being in circumference three miles; and the area comprehends above two hundred acres."¹

Let us for a moment review the geographical relations of this remarkable encampment, which is allowed by all antiquaries to have been an early British fortress or entrenched station, adopted subsequently by the Romans.

Rising to a height of 240 feet above the villages nestling at its base, and being 426 feet higher than the sea level, it forms

(1). *Archæologia*, vol. xxi.

a spur running almost due north out of the north-west corner of a cluster of hills, which form a kind of irregular parallelogram, about five miles in length from east to west, and one to one a half miles in breadth from north to south. This high ground is scored in not a few places by lynchets or shallow terraces on its slopes, and is intersected by many a winding track-way, whilst several combs are to be seen descending from its summit to the plains beneath. Hamdon itself, together with the northern and western faces of this parallelogram, overlooks the broad valley of the Parret, as well as the great northern watershed of the county, which helps to feed the Severn sea—the *Æstuarium Sabrinae* of the Roman geographers. The eastern extremity of the above mentioned hill district terminating in two “Pens,” (viz., that which gives its name to Penmill, near Yeovil, and another called Pen within the town itself,) dominates the valley of the Ivel. There is a third “Pen” also within this district (called in the Ordnance map Pen-hill) from which the neighbouring village of Pendomer takes its name. This Pen overlooks the Dorsetshire country, of old inhabited by the minor tribe of the Durotriges.

Far less than a thousand years ago the valleys of the Ivel and the Parret must, for a considerable portion of the year, have been almost impassible swamps. A tidal wave came, and still comes, as far as Langport, where there was possibly, but not certainly, a Roman road across the Parret.¹

The Foss-way, constructed on a former British track-way passing within a mile to the north of Hamdon, crossed that river by a ford, at the point now occupied by Petherton bridge,² and this passage, occurring on the chief inland road into the west, must have been always a most important strategic point; indeed, we know it was so considered as

(1). *Vide* map of Roman Somerset. *Proceedings of Som. Arch. and Nat. History Society*, vol. xxiv, pt. ii, p. 1.

(2). Davidson, *British and Roman Remains in the Vicinity of Axminster*, pp. 67, 68.

recently as the time of the civil war in the 17th century, when the bridge was pulled down by Goring's orders, and had to be "made up" by Fleetwood, ere he could cross the river in pursuit of the Royalist troops.¹

The Romano-Belgic city of Ischalis (or the watery place), the Ilchester of the present day, situated about four miles to the eastward of Hamdon, is even now subject to winter floods, which often cover a large acreage of the surrounding country. Westward of the hill, and within two miles of its base, flows in a northerly direction the river Parret; the ancient "Parwyd" or "Afon-y-Parwyd," meaning the boundary or division river.² The source of this stream is to be found in the heights south of the town of Crewkerne, whence it flows, first in a north-westerly, and afterwards in a more northerly, direction, towards the Severn sea. The same high ground gives rise also to the river Axe, which, taking an opposite course, falls into the British channel at Axmouth. These streams have been usually held by antiquaries to form an early natural boundary or partition between different Keltic tribes or peoples; the country of the Damnonii, or Devonshire folk, resting on their western banks.

Situated where it is, Hamdon would almost certainly have been an advanced post of some important tribe, which I have little doubt consisted of the warlike Belgæ. It was moreover not a simple castle or garrison, or place of watch and ward for soldiers only, which the late Mr. Warre believed, perhaps not altogether correctly, was the case with Cadbury;³ it seems to have been a residential stronghold of an exceptionally grand character, capable of sheltering a very large number of occupants, civil as well as military,⁴ and the cluster of hills, of which it forms

(1). Sprigg, *Anglia Rediviva*; also Markham, *Life of the great Lord Fairfax*, pp. 232, 233.

(2). Barnes, *Proceedings Som. Arch. Soc.*, vol. xvi, pt. ii, p. 75.

(3). *Proceedings Som. Arch. Soc.*, vol. viii, pt. ii, p. 66.

(4). Walter, *Proceedings Som. Arch. Soc.*, vol. iv, pt. ii, p. 83.

so strong an outwork, was in all likelihood thickly peopled by a Keltic race, who, depasturing their cattle in the plains below, used the encampment as a fortified station—a citadel in fact—within which their flocks and herds, their women and children, retired in the hour of danger.

Now, since my attention has been thoughtfully directed to this subject, I have often asked myself the question, How came it that so large and important a British stronghold should have been constructed on a spot overlooking what, for a goodly portion of the year, must have been a wide waste of waters? Important indeed it must have been for the Romans also to have occupied it, during so long a period, after the original possessors had been driven forth.

Having answered the above question in some manner to my own satisfaction, I proceed to lay the presumed solution before the Society, and this not in a dogmatic spirit, but rather in a suggestive vein, and as offering a possible explanation of matters that do not at first sight appear quite obvious.

There was, as I have said, at the point where Petherton bridge now stands, a ford, which, according to the late Mr. Davidson and others, must have existed in Keltic times.¹ A careful study of the map, aided by a bird's-eye view from Hamdon, would favour a belief that this ford was for a large and important district to the north and north-east—the key which unlocked the far west, with all its mineral treasures. A mile beyond Petherton bridge, to the north-west, on some gently rising ground, we find the remains of an ancient British station, as evidenced by a few relics in the writer's possession—antler and flint, split bone and coin, all either found by himself or within his own cognizance, upon this eminence. We have also on the western border of this height a series of terraces, called “Mere-Lynches,” and near by, a bit of old sunken roadway, now leading nowhere, but the further continuation of

(1). Evidence of this ford may still be seen in the river banks on the north side of the bridge, at low water.

which can be traced to the margin of the river. On this elevation, I make no doubt, was situated the ancient British town of Petherton—*Y Parwyd Dun*—the Dun or stronghold on the Parwyd or border river; an advanced post of the Damnonii, in its turn commanding, but from the *western* bank, the all-important ford, which might otherwise be traversed alike by friend or foe.

Here, then, we see a sufficient reason for the Belgæ making so much of their ‘coign of vantage’ on the *eastern* side, the Dun above the river—above the marshy valley—above the watery city. From this height, too, at a later date, the Romans saw it expedient to watch over the interests they had wrested from the inhabitants of the land. Here they held ward for near three hundred years, yielding up their charge only when disturbing influences at home obliged them finally to quit this country. Were additional proof needed of the importance attached by the Romans to this passage of the river, I would call attention to Dr. Stukeley’s account of the condition of the Foss-way between Ilchester and Petherton bridge in his day. Writing in 1724, he records it as being so perfect that “it looks like the side of a wall fallen down, and through the current of so many ages, is not worn through.” Collinson, quoting Stukeley, states “that in a field near this (Petherton) bridge, a large pot full of Roman coins, to the quantity of six pecks, was dug up about the year 1720,” and he adds, on his own account, “in the same neighbourhood, a little below the surface of the ground, are the remains of Roman buildings. In this spot also coins, fragments of urns, *pateræ* and pieces of *terras* have been discovered.”¹ These relics would doubtless show that there was a Roman residence, probably that of some important functionary, at or near this spot.

So far as we know, no Roman name for Hamdon has come down to us, and this need excite but little surprise, seeing we

(1). *History of Somerset*, vol. iii, p. 106.

have no itinerary of the Foss-road. The conquerors probably merely Latinized the Keltic designation; and concerning this we are possibly not so ignorant. Most writers on the subject have assumed that the word Hamdon is a hybrid product of the Saxon "Ham," a place of residence or a home, and the Keltic "Dun," a hill fort; *i.e.*, the *Home* upon the *Hill*;—the Dun, *par excellence*, of the district.¹ But it was not, I believe, a common practice with the Saxon invader to make his home upon the fortified hills from which he had expelled the Britons, and here he certainly cleared a spot about the foot of the old camp, which clearing he stockaded and called "Stock" or "Stoke," by which name, with the addition of "Sub-Hamdon," it is known to the postal authorities at the present day.

An apparently insignificant and hitherto unnoticed circumstance gives us to know what the Saxons thought about this fortress. On the plan of Hamdon, given by Phelps, in his *History of Somerset*, in what is called "The Combe" (a gully or gorge trending towards Stoke church), there still exists a stream of clear water, gushing from the heart of the hill, bearing the name "Wambury Spring;" in the map, however, this is incorrectly spelt *Hambury*. In a later impression of the same engraving, which illustrates a valuable article on Hamdon Hill, by the late Mr. Richard Walter, in a former number of the Society's journal,² it appears by its right name, *Wambury*, which every word-student knows to mean "Woden's Burh," the stronghold of Woden. Trifling as this may seem, the inference to my mind is clear, that the Saxons, when they settled around the spot, regarded the immense earth-works above them as something beyond the power of human hands to construct, and hence they attributed their authorship to their mythical hero Woden. This again, I take it, militates against

(1). *Vide. Proceedings Som. Arch. and Nat. His. Soc.*, vol. v, pt. ii, p. 78 also Fulman, *Local Nomenclature*, p. 146.

(2). Vol. iv, pt. ii, p. 84.

the theory of the "Ham" upon the "Dun"—the Home upon the Hill.

Let us enquire whether any other clue can be afforded by an analysis of its present designation. A learned associate, Dr. Hurly Pring, a year or two since contributed a very suggestive article on "The Place-name Hampton" to the third volume of the *Antiquarian Magazine and Bibliographer*. He therein shows the probability of the first syllable sometimes being a Teutonic corruption of the Keltic word Afon or Avon, a river. This probability would doubtless be strengthened when there appear valid reasons against the spot in question ever having been a Saxon "home;" and especially when it bears any relation to a neighbouring stream. Nor is this idea fanciful or a matter of guess-work on his part, since he quotes Camden and Leland in support of this theory being applicable in the instances of Northampton and Hampton Court, the former of which was certainly at one time "Northafon-don."¹ Admitting this, is not it well within the bounds of probability that the early name of the fortress dominating the watery valleys of the Ivel and the Parret—looking immediately over the village of "Mertok *inter aquas*"—commanding also the passage of the border river, would be "*Yr Afon Dun*"—the River Fortress?—the distinctive syllables being corrupted into "Ham," in common with so many marshy spots which could be enumerated on the river banks, from the Chiselborough flats near Crewkerne, to below Bridgwater?—spots swampy in the winter, but affording rare pasturage for cattle in the summer;—"Afons," if you please, or river-side meadows, but places where no Saxon "Ham" could possibly have existed?² Even a stranger, casually looking at the camp from any point within three miles to the west or south-

(1). *Britannia*, Gibson's Edition, vol. i, col. 518 and 367.

(2). Such "Hams" are to be found in Merriott, Chiselborough, South Petherton, Muchelney, Bridgwater, and, in fact, along the banks of many of our Somerset rivers.

west, and aware of a river flowing between himself and the hill, would be at once struck with the appropriateness of such nomenclature. I humbly conceive, then, that it would need no great stretch of the imagination to derive the Teutonic sounding "Hamdon" from the Keltic "Afon-dun," especially when we know the fate of the alluvial pastures or "hams" above referred to.

On the departure of the Romans, we may presume that the camp and the adjacent hills were once again occupied by a Keltic race—probably Belgic-Britons, now half Romanized, and to a certain extent civilized; living more or less at peace, until the dreaded Saxons came upon them like a torrent, in the seventh century. In the pages of the Anglo-Saxon chronicle we read that "in 652 Ceanwalh fought at Bradford-on-Avon;" another ford, the possession of which seems to have been a great bone of contention between the opposing nationalities. It has been considered that this was an English victory, which deprived the Britons of a long, narrow strip of country reaching from Frome up to Cricklade, which they had previously held in the midst of their enemies.¹ Following up this victory, the Saxons must have steadily driven the Britons before them, until A.D. 658, when we again read in the chronicle, "This year Ceanwalh fought against the Welsh at Peonna (often translated as 'The Pens'), and he drove them oð Peðpīdan," which may mean either as far as the river Parret (the explanation usually accepted) or to the town of Petherton. In Æthelweard's chronicle, quoted by Mr. Sharon Turner, we are told that Ceanwalh drove the Britons to *a place called Pederydan*," which is manifestly Petherton itself, and not merely the banks of the adjacent river.

Now, reading between these lines, I would ask, is not it fair to conclude that after the victory at Bradford-on-Avon, Ceanwalh's forces continued their efforts successfully, so far as to drive the Britons—contesting every inch of ground—from

(1). Freeman, *Old English History*, edition 1878, p. 65.

Dun to Dun, over the Mendips, along the Foss-way, by, or through, or over the strong fort at Cadbury, until, on nearing their important boundary river, the latter, driven to bay, gave battle at the Pens by Yeovil, in front of their hill resort, and their last stronghold on the east of the Parret,—“Yr Afon Dun,”—whence, after a stubborn resistance, they were hurled across the stream to take refuge within the ancient bounds of the Damnonii, in their station of “Parwyd-dun,” or “Pederydan;” now South Petherton?

I would not wish to be thought wiser than those learned men who have professed themselves unable to determine where the “Peonna” of the chronicle are situated; I merely desire to call attention to the Pens near Yeovil, and to suggest the probability of their marking the spot where the last great Saxon fight east of the Parret commenced.

I read the entries under the dates 652 and 658 in the chronicle, as simply marking the beginning and the end of the warrior-King Ceanwalh’s successful struggle with the British in Wessex. Doubtless during the six intervening years many a fierce engagement took place which has not been recorded. It is said “this battle was a very hard one, and that the Welsh drove the English back for a while, but then the English rallied and beat the Welsh, and chased them as far as the river Parret.” “These Welsh Kings were really very powerful princes, and their dominions were larger than those of some of the English Kings. Thus it was a great matter to take from them all the country between the (Somerset) Axe and the Parret, which now, or soon after, became English.”¹

Here (*i.e.*, at Petherton), having placed the river between themselves and the Saxons, the Britons appear to have held their ground for more than thirty years, when a greater than Ceanwalh—our own Somerset Ine—appeared upon the scene, and drove them still further into the west, and across the

(1). *Old English History*, p. 66.

Tone, on whose right bank he built his famous castle of Taunton, eventually to be replaced by that which is now the home of our Society.

This boundary, the Britons as a nation never more recrossed. Local tradition and history both tell us that Ine, for a time at least, fixed his residence at South Petherton,¹ which he had possibly made his basis of operations whilst pursuing his career of conquest in the above direction, and it may well be considered not wholly improbable that the Saxons, for a long period after, had a kind of veneration for the place, not only as marking the site of one of their greatest victories, but also as being the first spot on which Saxon foot had rested after entering the territory of the Damnonii.

Collinson says, "When the Romans relinquished this country, South Petherton became the possession and the seat of the Saxon Kings. . . . Ina had a palace here. . . . King Athelstan is reported to have kept his feast at Pedredan, and the possession of this place was thought an object of importance by all his successors, till after the Norman conquest."²

In confirmation of these statements, I have been informed that in the *Liber Albus* at Wells there is a record of the presence at South Petherton of King Edward (the Confessor), his Queen Editha, Tofig ("the proud"), Harold (son of Godwine), and many others of the Court, at a conference touching some matters connected with the temporalities of the unfortunate Bishop Giso.³

Read by itself, it appears almost incredible that the present decayed country town should have been the scene of so many important events, at a period when our history was making ; but taken in connection with what has gone before, it seems quite natural that such should be the case, ere the destinies of

(1). See the legend of St. Indractus in Cressy's *Church History*, p. 532.

(2). *History of Somerset*, vol. iii. p. 107.

(3). Kindly communicated by the Rev. J. A. Bennett, of South Cadbury.

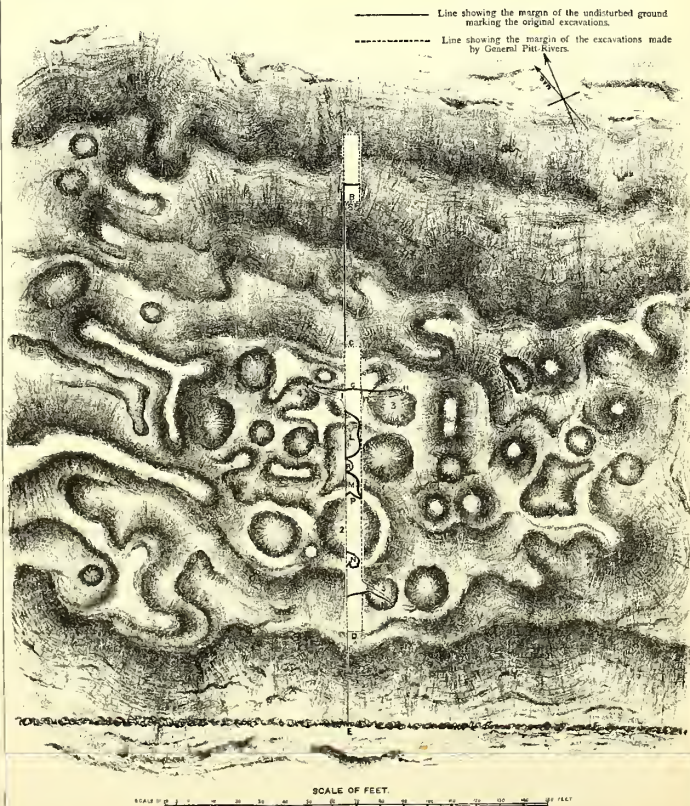
our rulers had called them to act in busier scenes, and amid larger populations.

Such then is an outline of the origin of Ham-don, and the part it has played in by-gone ages, as it presents itself to the mind of the writer. It is a meagre outline, truly; but so far as it goes, it is believed to be compatible with what is actually known of general history; and it is here given in the hope that some more able man may be induced thereby to correct or confirm, and, if practicable, to fill in, the picture.

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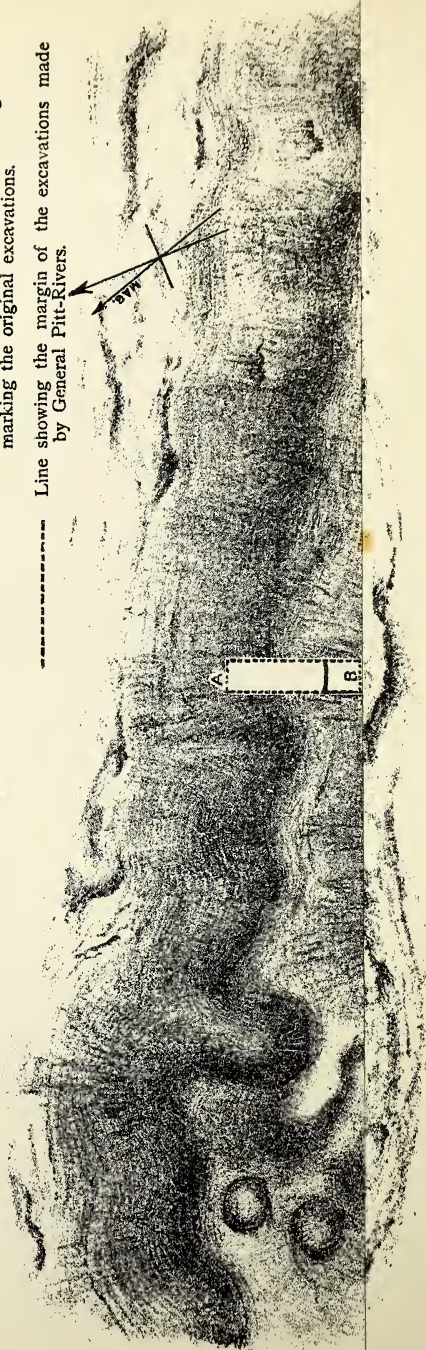
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PLAN OF THE PORTION OF PEN-PITS EXCAVATED BY LIEUT.-GEN. PITT-RIVERS,
OCTOBER-NOVEMBER, 1883.

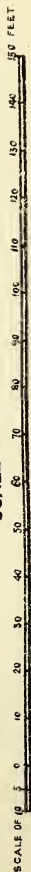


PLAN OF THE PORTION OF PEN-PITS EXCAVATED BY LIEUT.-GEN. PITT-RIVERS,
OCTOBER-NOVEMBER, 1883.

- Line showing the margin of the undisturbed ground
marking the original excavations.
----- Line showing the margin of the excavations made
by General Pitt-Rivers.



SCALE OF FEET.



The Result of Further Excavations at Pen Pits.

BY REV. H. H. WINWOOD, F.G.S.

THE Members of the Somersetshire Archæological and Natural History Society may remember that a Committee was formed for the purpose of the exploration of those remarkable depressions in the surface of the ground, called Pen Pits. In the year 1880 (now four years ago), the Report of that Committee was written by myself, as requested, and will be found in the 25th volume of the Society's *Proceedings*. Three "riders" were attached to the Report, two of which were written by Members of the Committee, who had rarely, if at all, visited the excavations during their progress. Indeed, one of these Members, the Rev. Prebendary Scarth, whose reputation as an archæologist adds weight to his statements, only visited the spot once (to the best of my knowledge) during the whole time, and that was on the occasion of a preliminary traverse of the ground before the excavations were commenced. The general purport of these "riders" was that the writers hesitated to adopt the conclusions of the Report until further researches had been made. Whether it was quite in accordance with fairness for those who had not taken part in the active work of the Committee to come to such conclusions, adverse to those entertained unanimously by the working section of that Committee, I must leave to the opinion of the two Members in question, and to others, to decide.

Whether it was owing to the importance arising from the names of those who disagreed, or from other and more sinister causes, I know not, but various remarks have since occurred in print, in the London weekly and the local journals, and else-

where (I especially allude to an article in the *Archæological Journal*, vol. xl. p. 288), which renders it necessary that some further notice be taken of the unwarrantable accusations therein levelled at the work of the Committee, and thus reflecting upon the judgment of our Society itself. With this view, then, I have asked the Secretary to kindly make the following short communication for me, which, owing to my absence in Canada, I am truly sorry to be unable to make myself.

In the autumn of last year, General Pitt-Rivers informed me that he intended making further researches at Pen Pits, and gave me the opportunity of being present. This I gladly accepted, and was present during the ten days that the excavations lasted.

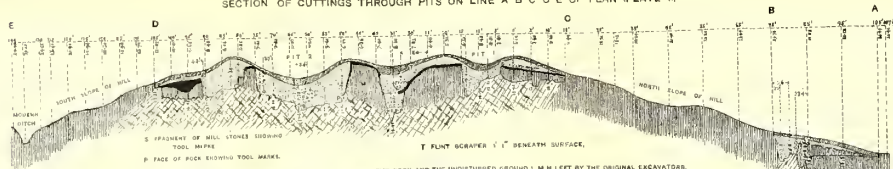
After a preliminary view of the ground, a portion of the hill was selected which contained some of the deepest and at the same time some of the most shallow depressions, so that a line drawn across them would run through their centres. Along this line (*vide*. Plates I and II) a trench was cut, right through the hill from one side to the other, and at the same time through the depressions in such a way as to completely penetrate their respective depths and expose the rock below. A report is to be presented to Government by General Pitt-Rivers, containing a detailed account of the results of his researches, accompanied by sections and plans; and I may be allowed to say, without in any way anticipating that report, that in all the so-called Pits investigated there was a remarkable absence of any trace of their ever having been occupied as habitations or dwellings; at the same time there was clear and unmistakable evidence that they were merely quarries, worked formerly for the valuable Greenstone rock which existed below the surface. In nearly all, if not all, the depressions dug out, traces of the object for which they were made were found in the shape of broken and detached millstones, with the marks of the tooling fresh upon them (*vide*. Plate II). In one instance the face of the original rock itself had been

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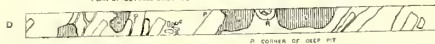
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SECTION OF CUTTINGS THROUGH PITS ON LINE A B C D E OF PLAN (PLATE I).

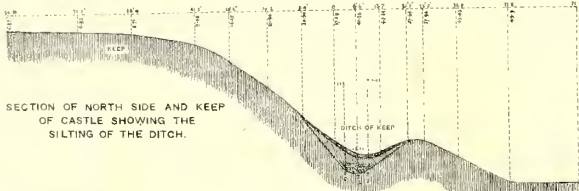


PLAN OF CUTTING SHOWING THE JOINTS IN THE ROCK AND THE UNDISTURBED GROUND L M N LEFT BY THE ORIGINAL EXCAVATORS.

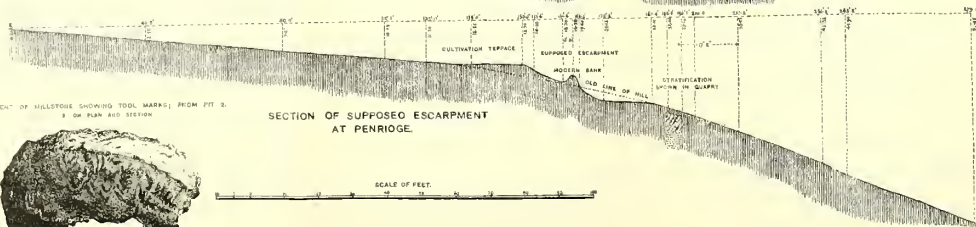


REFERENCES

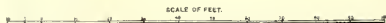
- Surface Shale
- Old surface last, well returned sand.
- Sandy clay with short; disturbed ground or excavated during the explorations.
- Greenish rock undisturbed.
- Undisturbed soil.
- Siding of ditch: brown mud with large fragments of green sandstone at top and steep rubble at bottom.
- Sand.



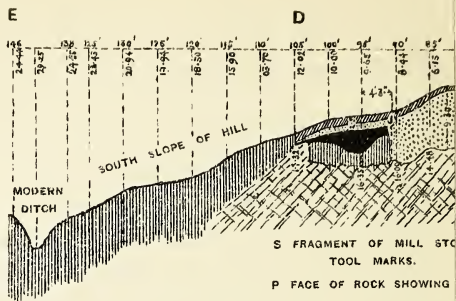
SECTION OF NORTH SIDE AND KEEP OF CASTLE SHOWING THE SILTING OF THE DITCH.

 FACE OF ROCK SHOWING TOOL MARKS;
P. ON PLAN AND SECTION

 FRAGMENT OF MILLSTONE SHOWING TOOL MARKS; FROM PIT 2.
S ON PLAN AND SECTION

SECTION OF SUPPOSED ESCARPMENT AT PENRIOGE.



SE










PLAN

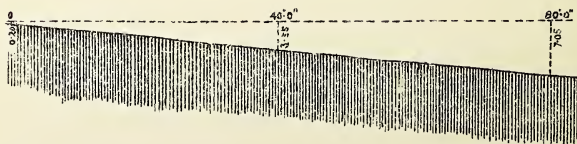
D



REFERENCES.

-  Surface Mould
-  Old surface line; buff coloured sand.
-  Sandy clay with chert; disturbed ground re-excavated during the explorations.
-  Greensand rock undisturbed.
-  Undisturbed soil.
-  Silting of ditch: brown mould with large fragments of green sandstone at top and stony rubble at bottom.
-  Sand.

SECTION OF NO. 1 OF CASTLE SILTING



FRAGMENT OF MILLSTONE SHOWING TOOL MARKS; FROM PIT 2.
S ON PLAN AND SECTION

SECT



tooled preparatory to being detached, and was found as the old workmen had left it, as fresh as if done yesterday.

Thus nothing has been found to weaken the conclusions previously arrived at by your Committee. Nay, rather, those ten days' excavations, carried on under the direction of one who has not his equal anywhere in that art, have in a most unmistakable manner corroborated those conclusions, and must prove to all whose minds are capable of conviction that these Pen Pits are only the oval and rounded forms which excavations for stone have assumed after the lapse of years, under the smoothing down process of weather and natural agencies.

The accompanying plan, section, and view, issued since the commencement of these notes, and kindly lent to the Society by Gen. Pitt-Rivers, from his printed Report,¹ will illustrate better than any further words of mine, the nature and results of these recent excavations. "Plate I is a plan of about 10,000 square yards of the hill through which the section was cut, showing the slopes of the hill on the north and south, and the distribution of the surrounding pits with the ridges and mounds between." The position is also shown in the right-hand corner of Plate III by the words "cutting made through Pits." Pits 1 and 2, Plate I, were those selected to be cut through on account of their symmetry. In Plate II a section is given of the cutting, the letters corresponding to those on plan, Plate I. The thick black lines in plan, Plate I, show the margin of the excavations made by the original workers and re-discovered, and the dotted lines show the outline of the cuttings made by us. The cutting was commenced at *C* (Plates I and II), near the top of the northern slope of the hill, and pushed southwards to *D*, across the ridge. It may be added that the three dissentients from the former Report were severally asked to inspect the excavations when in

(1). *Report on Excavations in the Pen Pits*, near Penselwood, Somerset. 4to, London, 1884.

progress, but were unable or unwilling to put in an appearance.

There is one slight error in the Report of 1880 which needs correction. The word "Penstone" has there been erroneously written for "Greenstone;" the "Penstone" being that peculiar cherty and siliceous formation which occurs just below the surface, the best blocks of which can be made into scythe stones, and probably have originally been used for that purpose; the "Greenstone" is that more solid formation which runs through the hill.

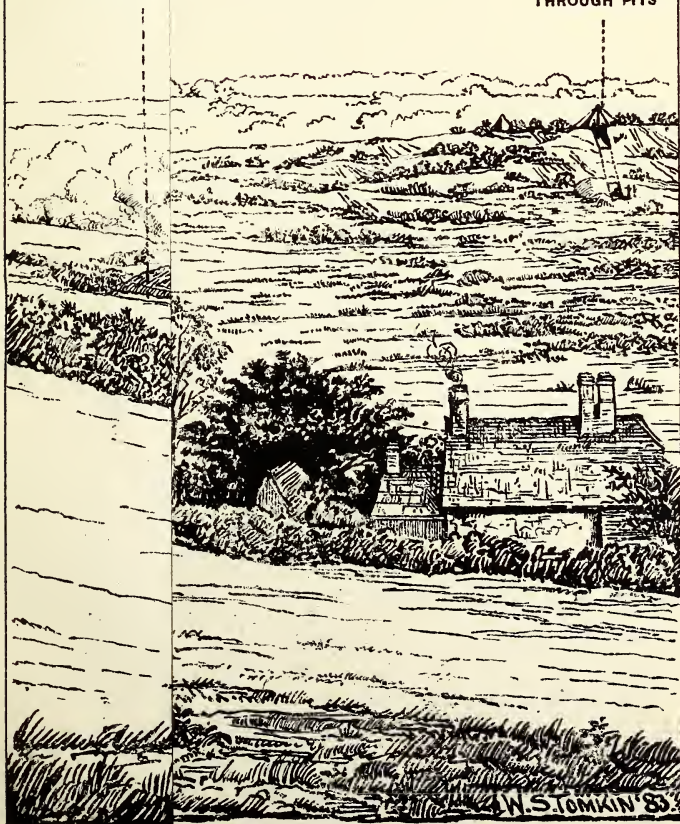
VIEW OF

TAKEN FROM

RIVER STREET

P I T S

CUTTING MADE
THROUGH PITS

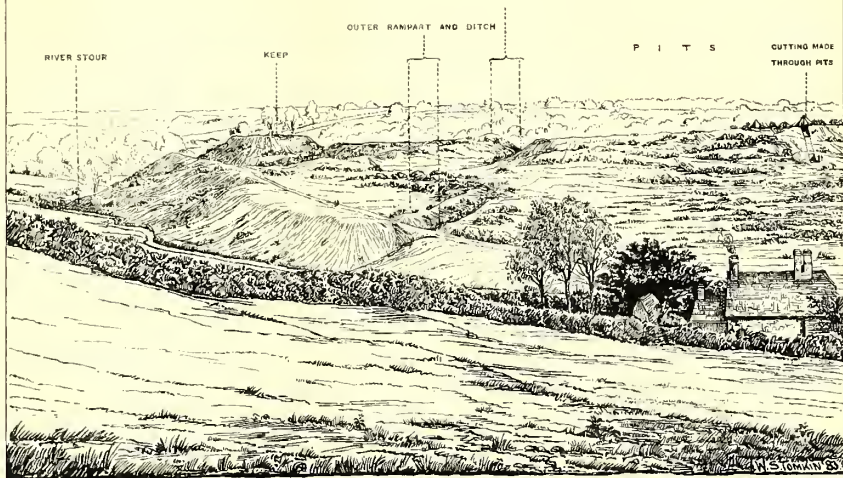


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VIEW OF THE CASTLE ON GASPAR COMMON.
SOMERSETSHIRE,

TAKEN FROM THE NORTH, SHOWING POSITION OF CUTTING.





Extracts from some Somerset Wills.

BY ALFRED JAMES MONDAY.

SOME of the facts to be found in the ancient wills made by people domiciled within the county of Somerset are often singularly interesting. A will being generally acknowledged to be of all legal documents the least formal, we are often enabled through the means of one or more of these records to read in a plain and homely style of phraseology of the wants and enjoyments of those who, ten or eleven generations since, were alive and busily employed within the limits of the county. We can thus argue, from the effect to the cause, and from a mass of details of the same nature, gathered from several wills, compare the present condition of society with that of the past, and draw a just inference. Many of the earliest wills relating to this county have from time to time been copied into books, the originals being either lost or destroyed. Most of these books of collated wills, as they are styled, are in an excellent state of preservation.

In the collection of manuscripts belonging to our Society, is a book of collated wills, bearing date 1539, 1540, and 1541. From a memorandum on the inside of the cover, we are informed that the fragments which remain were rescued from a butcher's shop, where they were being used for the purpose of wrapping up chops and steaks. It may be here stated that it was formerly the practice for the Bishop of the Diocese on each visitation to prove in his own Court all the wills which were then provable within the archdeaconry. It therefore not unfrequently happens that duplicates of wills which had been proved in the Bishop's Consistorial Court at Wells, are to be found in the District Registry at Taunton. For the most

part the earliest wills in the local courts commence about the time of the first suppression of religious houses. The form first made use of was very concise, having been evidently prepared by the clergyman of the testator's parish. It commenced generally as follows:—"In the name of God, amen. In the yeare of o^r lorde God A thousande fyve hundrythe thirtie and eighte And the Eleventh day of the moneth of Aprill I A.B. of the parryshe of syke in bodie and whole of Remembrance make my testamente yn this maner, ffyrst I bequethe my sowle unto Almighty Gode our Ladie Seynt Marie and to all the Seyntes yn Heaven And my bodie to be buried in the Churchyearde." Others will their bodies "to be buried in the holie Sepulture;" while Edward Watts (25th of February, 1541) is "to be buryd in the Churche yerth off my p[']ish Church of Shepton Mallett." Almost every will about this period contains a donation to the parish church or to the high altar, and likewise to the Cathedral, or, as it is sometimes termed, the "mother church," and the "churche of Seinte Androes at Welles." These bequests generally range from four pence to half a mark (six and eight pence). The "pore mens boxe" of the parish church was also frequently remembered.

In consequence of the scarcity of money, it was found more convenient to give either goods or cattle in lieu of money. Thus in 1538, after bequeathing her "sowle vnto almightie god, to our lady and all hallos," and directing that her body should be buried in the churchyard, one gives her "wedding ring vnto o^r [our] lady and to the Church her best gown." Another gave to "the hy awter ffor tythes and offeringes ffor-gotten iiij^d, and to the churche a shepe and to o^r [our] lady brotheres a fflckbedd." Again, in the same year, another "to o^r [our] lady brothers vj buttons of silu' [silver] and a ringe." Another, in 1540, gave "to ye repāycon of the church one aker of wheat." There are also various gifts, "to the hye Auter of my pyssh Church xij^d; Item, to iij Autors more yn

the same church xij^d; to the hye cross 1 bowsshell of beans; to the hye cross lyght ij^d; to the rode lyght and the torchys xij^d; to the sepulcre lyght iij^s iij^d; I geve to iij men to ring my knill xij^d; to ringe my knill by the space of one monethe a iij^s iij^d.”

Through the means of bequests made in some of these wills we are often enabled either to corroborate the date of some local event, or to record some interesting fact; as by the will of John Siddenham of Dulverton, Esq., dated 29th June, 1558, who gives “to the maintence of the free skole in Welles newlie sett up a iij^s iij^d.”

The Christian names mentioned in some of these wills are either rarely used at the present time, or have become entirely obsolete. Such for instance, as Ancilla, Argent, Emet, Ebbotte or Ebet, Emyn or Emlyn, Isote, Jacquet, Joan, Margery, Petronell, Prudence, Radigond, Sibily for Sibyl, Ursula, Wilmot, and Welthian: and such male baptismals as Jasper, Jerome, Baldwin, and Justian; while the names of Christian, Philip, and Julian appear to have been used indiscriminately for either sex. It is rather singular that I have been unable to find in any will relating to this county the name of “Alfred,” unless perhaps it appear in the corrupted form of Alford, or as once in 1557 as Althred.

The character of some of the bequests is interesting: such, for instance, as the gift, either of a hive or a swarm of bees: “I geve and bequeath vnto Margarett my daughter one Aple wringe and the powninge trowe and one swarme of bees.” On two or three occasions I have met with names given to domestic animals; as, “to my sonne a Yowke of Oxen named hart and starre, and a yearling; to Agnes my daughter an oxe named hawke;” etc. “Item, to John my sonne I bequethe ij oxen, violet and nann.” “Item, I geve to Elyno^r and Luce my daughters my blacke cowe called Colly.” “Item, one black cowe w^{ch} was given by the old moth^r [mother] mablye vnto my iij sonnes Henry, John, and Amerie,

equally to be devided betwixte them." Gifts of sheep and black cattle from a testator to his dependents were very frequent about this time. "Item, to eu'y [every] of my seruants now beyng in s'uys a Chilver Hogge;" *i.e.*, a ewe of the age of one year. "Item, to eu'ie one of my household s'uants that shall be reteyned wth me in s'ruice at the time of my death one yewe." "Item, to Emet' my daughter in lawe all my treing vessell wth all my cofers, whitches, and plough geare," etc.; to the same Emete "my reeke of stakes," etc.

Horses, I think, must have been valuable, not only on account of their being specially mentioned in these wills, but likewise from the fact that not unfrequently there was a joint and several interest given in the same animal. An ambling mare appears to have been considered a desirable gift. "Item, to my brether my baye Amblynge mare and my beste pan' [pannier] and after his decease the mare and the panier to remayne to John his son." Cows are, as a matter of course, often referred to. Sheep are more frequently mentioned than any other domestic animal, and pigs the least: as "To my wife foure platters of pewter fowre potengers and fowre saw^{es} of pewter." "A chaffer of Latin [Latten], two pigges, all the pultrei, one yeres drye corne, two vates, two tubbes, two standers," etc.

Articles of clothing and domestic utensils were evidently valuable, from the precision with which they are referred to in each particular will. "Item, to my sone John my Blackgowne facyd w^t Blacktāne, a dowblet of Blacksatyn, a jacket of Say, a rydyng cape of Sattyng." "I bequethe to my s'uante my black kirtell, one of my furred gowne, and a doublet of Russett satten, and one of my clothe coates, two paire hoses and my beste cappe." "A pare of White Russett Stockinges and a paire of shoes." "A paire of White Russett Breeches," etc; "my blacke hose and stockings; my workinge Daies Dublett, a paire of breeches of Browne Blue, and a sleveles jerkin."

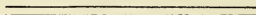
The description, Yeoman, which is stated to have been a contraction of "Young Man" (see *Sussex Archæological Collections*, vol. xxii. p. 198), is not often met with. In 1539, James Springe of Pitminster is called "Yomá;" and John Pime of Kilton is thus described in his will, dated the 4th of February, 1565. It was from this class—the forty-shilling freeholder—that the young men, the archers, were recruited. "You good yeomen, whose limbs are made in England, show us here the mettle of your pasture." (Henry V to his soldiers at the siege of Harfleur). The muster roll of the rape of Hastings, of the time of Edward III, formerly in the *Cartulary* at Battle Abbey, shows that all the freehold tenants, to the value of forty shillings by the year, held by service as bowmen. Offensive or defensive arms are seldom mentioned. John Tomson of Taunton (10th January, 1582) is described as "Bower" [Bowyer]. Thomas Doding, "a M'ster Maryn", of the prshe of Canyngton," in 1538 gave "vnto the s^rvaunte of the yerle of bathe a crosse bow," etc. One gives his "bigger dagger; my buckler;" another gives, "his sonne the folding borde in the hawle and my crosse bow. Item, my pistoll." In 1565 one gave to his brother his "violett coate, a Jerken clothe, a skine of Bucks lether, a bow, and xvjs" "Item, to John my brother xvjs in parte of the corne that is in the mowe, a blue cote, a jerken clothe, a bowe, a Quayver and Arrowes, and one hatte."

As the agriculturist bequeathed his special goods, so did the weaver; as when one gives his sons "two brode lomes and a osate lome," and wills "that the harnys off the saide lomes to be divided indifferently between the both." "Item, to my sone one rack close, conteyninge by estimatione a three quarter grownd, wth the rackes thereon now standinge, w^{ch} said rack close is sett lyinge and beinge in Pole [Paul] Street, wth in the borowe of Taunton." "Item, I geve to my sonne George my sea chest now standinge in the hawle, and all my wearinge appell, both Wollen and Linnen." "Item, I geve vnto the

said George ij Ossett lomes and one brode lome, and also the bed y^t he commonly vseth to lie in performed."

One or two wills from Bridgwater and the neighbourhood give nautical information. "I geve towards the new making of a Couseway from potnell to Comidge x^{ls}. Whereas I have the third p'te of a shippe called the lion of Bridgwater, I geve my p'te of the said shippe to John Trowke as she now is." It was the custom to introduce, previously to the conclusion of a will, a list of the credits and debts of the testator. In 1574, "I owe vnto Robert Blake of Bridgwater liij^s iiij^d, whereof he must allow me for a capstinge [capstan] in the Brave xiiij^s iiij^d, so resteth due to him xl^s." A bootmaker records, in 1587, "that the Searcher of Bridgwater oweth me xx^s." Occasionally a curious clause is to be met with; for example, "Item, to Robert Baker, for keeping his father-in-lawe from mariadge, vj^{li} xiiij^s iiij^d [£6 13s. 4d.]

After the restoration, the introduction to a will grew very verbose; as the date, too, brings all nearer to our own time, the few facts here recorded will, perhaps, as referring to early times, be better left distinct.



Letter Missive of King Henry VII to John Calycote
of Shepton Mallet.

BY E. CHISHOLM-BATTEN, ESQ.



“BY THE KYNG.

“**T**RUSTY and welbeloued we grete you well. and for the revengyng of the grete crueltie and dishonour that the Kyng of Scottes hath done unto vs our Realme and Subgiettes of the same as our Cōmissioners in our Countie of Som's where ye be inhabited shall showe vnto you at length. We lately in our grete Counseill of lordes spūall and tempall of Juges Sergeauntes in our Lawe and of othres some hed wysemen of ev'y Citie and goode Towne of this our lond have at thair Instances and by their aduyses det'myned vs to make by See and by lond ij Armees Roiall for a substantiall Warre to be contynued vppon the Scottes vnto suche tyme as We shall invade the Reame of Scotlond in our owne pson and shall haue with godes grace revenged their grete outrages done vnto vs our Reame and subgiettes forseid so and in suche wyse as we trust the same our Subgiettes shall lyve in rest and peas for many yeres to com. The Lordes and others of our seid grete Counseill consideryng well that the seid sub-

stanciall warre can not be borne but by grete sōmeez of redy money have prested vnto vs eu'y of them for hys parte grete sōmes of money contented besides that we of our owne Cofers selfe have avaunced oute of our owne Cofers. Yet nathelas fourty M^{ll} poundes more as our seid Cōseill hath cast it must of necessite be borrowed and avaunced in redy money of others our lovyng subgiettes for the furniture of this matier. And bicause as we here ye be a man of good substaunce we desire and pray you to make lone vnto vs of the som of ten poundes whereof ye shal be vndoubtedly and assuredly repayd in ōr Receipt at the fest of Seynt Andrewe next cōmyng without any maner xonr, cost or charge for the same. This money must be brought to our Receipt and ther receyved by the Tellers of the same athissid the feste of Candelmas nexte comyng withoute any further tract or delay. Of whom ye shall take oute a bill of mutuū for your true and iust repayment therof. It shal be in your lib'tie after ye haue oones gon thorough with our seid Cōmissioners to whom we pray you to yeve full and fast credence in this caas Whether ye woll come or bryng the same yourself. Orelles send som trusty ffrend or s'uñte of youres to delyu'e it before the seid Candelmas at our seid Receipt and to bryng to you the seid bille of mutuū. Orelles of trust your seid lone to be delyu'd to Cōmissioners and they to bryng the seid bille of mutuū for your indempnite in that behalf. This is a thyng of so grete weight and importance as may not be fayled and therefore fayle ye not for your seid part. Eftsones We pray you as ye entende the good and honour of vs and of this our Reame and as ye tendre also the wele and suretie of your self. Youen vnder our Signet at our Paloys at Westm' the first day of Decēbr."

Indorsed: "To our trusty and welbeloved

"John Calycote of Shepton Malet."

"X^{li} Som's."

This is a letter missive, dated 1st Dec. [1496], bearing King

Henry VII's sign manual, of which the above wood-cut is a fac-simile, and sealed with his signet,¹ addressed to Mr. John Calycote, of Shepton Mallet, asking for the loan of ten pounds to make up the sum of £40,000, which a Great Council had advised must be borrowed and advanced in ready money to carry on the war against the Scots.

This document has an important bearing upon two leading questions in the constitutional history of England. These are Great Councils and Parliaments ; Public loans and Taxation.

Besides the Great Council of the Nation assembled in Parliament, there had been held down to the date of this document from time to time Great Councils of the Nation out of Parliament. "This," says Chief Justice Hale, "was commonly upon some emergent occasion that either in respect of the suddenness could not expect the summoning of Parliament, or in respect of its nature needed it not, or was intended but a preparative to it."

The Great Councils varied in form, according to the will of the Sovereign who summoned them. Sometimes they consisted only of the Lords, spiritual and temporal,² and of the Privy Council.³ Sometimes of the Lords, spiritual and temporal, and others whose quality is not specially recorded,⁴ and sometimes of the Lords, spiritual and temporal, and the Privy Council, and one knight elected for every county, and one citizen and burgess for every city and borough,⁵ and, lastly, as in the present case of Lords spiritual and temporal,

(1). Not a Privy seal as Spedding describes it (Bacon Ed. Spedding, vol. vi., 174 n), for it is given under the Signet and not under the Privy Seal. The first being kept by the King's Secretary, the other by the Lord Privy Seal.

(2). 9th Feb., 1st Henry IV, 1400. Nicolas' *Acts of Privy Council*, vol. iii, 102.

(3). Hallam, in his *Middle Ages*, treats this form of Great Council as the ordinary one, and so does Sir Harris Nicolas in Preface to *Acts of Privy Council*.

(4). 15th April, 7th Henry VI, 1429. Nicolas' *Acts of P. C.*, vol. iii, p. 322. The "others" is expanded, in 1435. Great Council, consisting of Lords, spiritual and temporal, and other Knights and Squires, was summoned by Privy Seal. 5th May, 12th Henry VI, 1435, Nicolas' *A. P. C.*, iv, 211.

(5). This was for the making of the Ordinance of the Staple.

Judges, Serjeants-at-Law, and head wise men of every city and good town.¹

The mode of meeting and consulting was different from that of Parliament—the Great Councils apparently met together, all sorts—Peers and Commoners—in one chamber in the Palace of Westminster. The chamber is not always specified, but, once it is in the white chamber; once in the green chamber; once in the chamber of Parliament; and once in a chamber called the chamber of the Great Council.

Sixteen Great Councils are mentioned as called during the sixty-one years of the Lancastrian dynasty. Two in the reign of Edward IV, and two certainly, and most probably a third, in that of Henry VII.

The Great Council sanctioning the document now printed is mentioned by the cotemporary Chronicle;² and the document itself shows that it was a Great Council like that of the Staple in Edward III's reign, to which were summoned, not only the Lords of Parliament, but also men considered by the summoning authority as representative men belonging to the shires and cities and great towns.

This was the last but one Great Council of the Nation held in England out of Parliament. Henry VII summoned no more, and Henry VIII summoned none. The last was a Great Council of the Lords only, called by Charles I at York in 1640.

This Great Council of 1496 was summoned to obtain the sanction such a body could give to a loan of ready money to the King for the war with Scotland, and to enable the King's Commissioners in each district to point out to the lenders the security for the repayment of the loan, which security was the expected grant by Parliament of tenths, fifteenths, and subsidies.

Certainly each of Henry's Great Councils were soon

(1). See the forms of minutes of Great Councils in Nicolas' *A. P. C. passim*.

(2). Cotton MSS., B.M., Vitel A., xvi, fol. 157 b.

followed by a Parliament, which made a grant to the King; and it is to be presumed that the forms adopted in his uncle Henry VI's time, when loans were contracted to be paid *out of monies* to be granted by Parliament, were followed.

In 1455, when money was required to defend Calais, described as a "towne that is so rare a jewell for England," we find letters of credence were issued under Henry VI's sign manual,¹ with instructions to Commissioners for each county; the letters are dated 14th May, 33rd Henry VI. The Commissioners were to explain the urgency of the occasion and the necessity for the collecting a large sum of money; that the King had communed with divers lords and notable persons who had granted unto him *by way of loan* notable sums of money, and the Commissioners were to exhort others in their districts to do the same, and to explain that the advance should be by way of loan, to be repaid upon the next grant that should be made to the King in Parliament or Convocation, every man that lendeth to have a patent under the great seal, and the Commissioners were to certify in writing what every city, town, abbot, prior, or other man grants.²

Letters missive are despatches from the Sovereign, sealed up under the *Privy signet* or secret seal, and addressed on the outside like a modern letter. They differ from Privy Seal letters or bills more in form than in substance; both being the Royal instructions for the dispatch of business, the one document is sealed with the *Privy signet*, the other with the *Privy seal*; there is a marked difference in the formal parts of the two documents. The *Privy Seal Bill* commences with the Sovereign's name and titles, and addresses the person for whom it is intended by his name. It also contains in the datal clause the regnal year of the Sovereign. The *letter missive* begins with the words "By the King," and does not contain

(1). This monarch always placed the *R.* before the *H.* in his sign manual; and forged Royal grants, pretending to be of his reign, have been detected by the forger's ignorance of the fact.

(2). Nicolas' *Acts of Privy Council*, vi, p. 236.

either the name of the King or that of the person to whom it is addressed; nor is the regnal year often introduced into the datal clause: in addition to which a great number of letters missive, after the reign of Henry V, have the sign manual at the commencement. Perhaps the earliest mention of letters missive occurs in the Parliament roll of the 3rd of Henry VII. (Appendix II to the fifth Report of the deputy keeper of the *Public Records*, p. 35.) The will of Henry VII was sealed with his Privy Seal, his Signet, which was in the custody of his secretary; his Privy Seal of the eagle, which was in his own keeping; and with the Great Seal of England.

Henry VIII adopted the plan of borrowing money to be repaid out of the supplies voted by Parliament. Commissioners were appointed for each county, and these Commissioners were instructed to signify to the King, who, in their county, would be able to contribute to the loan. The list of these persons would be sent up as a certificate of the Commissioners. The Commissioners were to explain to the persons named the urgency of the occasion, and that the loan was to be repaid out of the grant at the next Parliament, and Privy Seals were to be delivered for repayment of the money.¹

The letter missive under the sign manual to John Calycote, now printed, is not the security; it is the authority that upon payment of the money the lender should get the security.

There are two other letters missive of the same date, 1st Dec. (1496). One in the Record office, endorsed "to our trusty and well-beloved William Skinner Baker of our Citie of Lincoln." It is *verbatim* the same as that to Calycote, with the difference "Citie of Lincoln" instead of "Countie of Soms." The other is in the British Museum, among the Cotton MSS. (Titus, *B. V.*, fol. 145), endorsed,

"To our trusty and well-beloved Will^m Scull²

"Of the some w^t in wryten, the said Will^m Skull hath ap-

(1). Letters and Papers Henry VIII, vol. iii, p. 1051.

(2). Scull or Scoole, of Cowarne Magna, co. Hereford.

pointed and payed to the Kyng's Commissioners li. xx of money in wey of prest for the Kyng." It is also *verbatim* with this letter to Calycote, with the difference "Countie of Hereford," instead of "Countie of Soms," and "twenty pounds" instead of ten.¹

We have in the Exchequer, (Pells) Teller's Rolls, proof that Calycote's money was paid; from the Roll for 12th Henry VII we extract the following:—

"Hertfordia, De Willielmo Carpenter de Radborn de mutuo c.^s"

"Somerseta, De Johanne Coddecote de Shepton Malett—x^{li}"

"Londonia, De Maiore et Aldermannis ac Civibus, Londoniæ de mutuo—M^l. DC^{li}"

"Mutuum, De Domino Rege de Cofris suis de mutuo, iiij^{ml}. DCC^{li}"

The name is no longer "Calycote" but "Coddecote," and it is possible that he was a member of the family which afterwards in Purbeck (Dorset) was called "Chaldicote."²

The system of loans to be repaid out of supplies granted by Parliament thus practised by Henry VI, Henry VII, and Henry VIII, was the foundation of England's liberties. No tax without Parliament, the voice of the nation said to Richard II. The same story is told by what took place on Charles I summoning the last Great Council. All the Peers were summoned by writs, dated seventeen days before, to meet as a Great Council at York on the 24th Sept., 1640. The King wanted money, £200,000. Lord Northampton said "one word would bring it like the dew of heaven—one word of four syllables—PARLIAMENT."³

(1). The spelling, however, of the words is in all three different; each clerk had his own opinion as to right spelling, and he followed it.

(2). Hutchins, *Dorsetshire*, vol. i, p. 591. A century later Newburgh of Berkeley, and Champneys of Orchardleigh, marry Chaldecot ladies.

(3). Sir J. Borough's *Notes of the Great Council of the Peers*, Hardwicke's *State Papers*, vol. ii., 204.

Obituary Notice of the Late Rev. Dr. Giles.

BY R. C. A. PRIOR, M.D.

A MEMBER of our Somerset Archæological and Natural History Society, and native of this county, a man of great and highly cultivated talent, the Rev. John Allen Giles, D.C.L., died on the 24th of September, 1884. He was born at Mark, near Bridgwater, in 1808, and educated chiefly by the Rev. W. M. H. Williams, at the Frome Grammar School, but was subsequently for a short time at Charterhouse, whence he was removed to Oxford, upon obtaining a fellowship at Corpus. This may be considered the beginning of his literary career. He gained a double-first at the early age of twenty, and thenceforward led the life of a man of letters, and will be known to future generations as the author of many admirable works, but he never rose to a leading position in society, or strove for it.

It had been his wish to make the law his profession, and his talent was of a kind that would have ensured him a brilliant career at the bar; for his memory was tenacious, accurate, and ready, and his fertility of resource in argument, and his perspicuity in stating it, could scarcely be surpassed. But he was one of a very large and not wealthy family, and in order to retain his fellowship at Corpus and the income attached to it, he was persuaded by his parents to take orders; a calling for which he had no inclination, and for which he was little suited.

It was especially in recalling to mind passages of poetry that his power of memory was truly extraordinary. Whatever he had read with attention he could repeat a long time afterwards, and even in advanced age this faculty did not seem to fail him. If reference were made to a line of almost any

English, Greek, Latin, or Italian poet of high class, he would instantly recognise it, and usually repeat what followed; often all the rest of the book or canto, if asked to do so. The range of his studies was extensive, and his publications very numerous: some on historical, some on theological, some on antiquarian subjects, many written for educational purposes; together with several translations of classic and medieval Latin authors, and of the Saxon chronicle, amounting altogether to about 160 volumes. That which will most surely carry down his name to posterity is his *Records*, which he fortunately lived to complete. In these it was his main object to elicit the strict truth in respect to the Gospel history, and in doing so he found himself in conflict with certain dignitaries of the church, more orthodox than profound in their studies. In treating of the Pentateuch, in a work that was commenced in 1851, in conjunction with the Rev. Thomas Wilson, but never completed, he anticipated the conclusion to which Bishop Colenso has arrived. But his daring to think for himself and print his thoughts was, unfortunately for him, detrimental to his chance of preferment.

His *Life and Letters of Thomas à Becket* is, perhaps, of all his works the one most interesting to the general reader. In compiling the materials for it he visited France, and spared no pains in unearthing all that might throw light upon that period of our history. But a great part of his life was occupied with the humble labour of training pupils for competitive examinations, and for this he was well qualified by having in a remarkable degree the power of imparting knowledge and calling out the reasoning faculties. His two sons, inheriting his linguistic ability, have distinguished themselves by their acquisition of Oriental languages,—the one in India, and the other in China, where they hold important appointments.

With all his learning and unquestionable ability, Dr. Giles was not a successful man in life, and failed to win a higher position than that of a country clergyman. The reason is not

far to seek. There was wanting in him the tact to turn his opportunities to the best advantage. There was also wanting in him, it must be confessed, that dignity of manner that commands and ensures an instinctive respect, and seems to entitle the possessor of it to make a bold and open avowal of his convictions, without compromising his character, or damaging his prospects.

During the latter years of his life he was rector of Sutton in Surrey. In his domestic circle he was uniformly kind and considerate, and possessed such equanimity of temper that he never was heard by his most intimate friends to repine at the promotion of much less able men to those high stations which are the usual reward of literary merit, but which did not fall to his own lot.

Somersetshire Archaeological and Natural History Society. 1884-5.

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Rules.

THIS Society shall be denominated "THE SOMERSETSHIRE ARCHÆOLOGICAL AND NATURAL HISTORY SOCIETY; and its object shall be the cultivation of, and collecting information on, Archæology and Natural History in their various branches, but more particularly in connection with the County of Somerset, and the establishment of a Museum and Library.

II.—The Officers of the Society shall consist of a Patron and Trustees, elected for life; a President; Vice-Presidents; General and District, or Local Secretaries; and a Treasurer, elected at each Anniversary Meeting; with a Committee of twelve, six of whom shall go out annually by rotation, but may be re-elected. No person shall be elected on the Committee until he shall have been six months a Member of the Society.

III.—Anniversary General Meetings shall be held for the purpose of electing the Officers, of receiving the Report of the Committee for the past year, and of transacting all other necessary business, at such time and place as the Committee shall appoint, of which Meetings three weeks' notice shall be given to the Members.

IV.—There shall also be a General Meeting, fixed by the Committee, for the purpose of receiving Reports, reading Papers, and transacting business. All Members shall have the privilege of introducing one friend to the Anniversary and General Meetings.

V.—The Committee is empowered to call special Meetings of the Society upon receiving a requisition signed by ten Members. Three weeks' notice of such special Meetings and its object shall be given to each Member.

VI.—The affairs of the Society shall be directed by the Committee (of which the Officers of the Society will be *ex-officio* Members), which shall hold monthly Meetings for receiving Reports from the Secretaries and sub-Committees, and for transacting other necessary business; three of the Committee shall be a quorum. Members may attend the Monthly Committee Meetings after the Official business has been transacted.

VII.—The Chairman at Meetings of the Society, shall have a casting vote in addition to his vote as a Member.

VIII.—One (at least) of the Secretaries shall attend each Meeting, and shall keep a record of its proceedings. The property of the Society shall be held in trust for the Members by twelve Trustees, who shall be chosen from the Members at any General Meeting. All Manuscripts and Communications and the other property of the Society shall be under the charge of the Secretaries.

IX.—Candidates for admission as Members shall be proposed by two Members at any of the General or Committee Meetings, and the election shall be determined by ballot at the next Committee or General Meeting; three-fourths of the Members present balloting shall elect. The Rules of the Society shall be subscribed by every person becoming a Member.

X.—Ladies shall be eligible as Members of the Society without ballot, being proposed by two Members and approved by the majority of the Meeting.

XI.—Each Member shall pay Ten Shillings and Sixpence on admission to the Society, and Ten Shillings and Sixpence as an annual subscription, which shall become due on the first of January in each year, and shall be paid in advance.

XII.—Donors of Ten Guineas or upwards shall be Members for life.

XIII.—At General Meetings of the Society the Committee may recommend persons to be balloted for as Honorary or Corresponding Members.

XIV.—When any office shall become vacant or any new appointment shall be requisite, the Committee shall have power to fill up the same; such appointments shall remain in force only till the next General Meeting, when they shall be either confirmed or annulled.

XV.—The Treasurer shall receive all Subscriptions and Donations made to the Society, and shall pay all accounts passed by the Committee; he shall keep a book of receipts and payments which he shall produce whenever the Committee shall require it: the accounts shall be audited previously to the Anniversary Meeting by two Members of the Committee chosen for that purpose, and an abstract of them shall be read at the Meeting.

XVI.—No change shall be made in the laws of the Society except at a General or Special Meeting, at which twelve Members at least shall be present. Of the proposed change a month's notice shall be given to the Secretaries, who shall communicate the same to each Member three weeks before the Meeting.

XVII.—Papers read at Meetings of the Society shall (with the author's consent, and subject to the discretion of the Committee), be published in the *Proceedings* of the Society.

XVIII.—No religious or political discussions shall be permitted at Meetings of the Society.

XIX.—Any person contributing books or specimens to the Museum shall be at liberty to resume possession of them in the event of a dissolution of the Society. Persons shall also have liberty to deposit books or specimens for a specific time only.

XX.—In case of dissolution, the real property of the Society in Taunton shall be held by the Trustees, for the advancement of Literature, Science, and Art, in the town of Taunton and the county of Somerset.

June, 1885.

** * It is requested that contributions to the Museum or Library be sent to the Curator, at Taunton Castle.*



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